URBAN\MUNICIPAL
CA4 ON HBL A05
A31
1997

AGENDA
COUNCIL OF THE CORP. OF
THE CITY OF HAMILTON

JAN. 28, 1997 ...

URBAN\MUNICIPAL
CA4 ON HB2 A05
A31
1997

URBAN MUNICIPAL
JAN 27 1997
GOVERNMENT DOCUMENTS

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1997 January 28
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
City Clerk

AGENDA

1. **National Anthem.**

2. **Opening Prayer:** *Reverend Myles Lohnes*
Trinity Baptist Church

3. **Recognition:**

Mayor Morrow to recognize Franco Oddi, Mayor of Pettorano sul Gizio, Aquila and Salvatore DiVenezia, Italian Vice Counsul

4. **Presentations:**

(a) *Mayor Morrow to present City of Hamilton ring to Dominic Agostino*

(b) *Silver Trowel (Laying of the corner stone of the Mountain Hospital)*
Hugh McNight

(c) *Mike Szelag (Race Canada) to present to Mayor Morrow the 150th Anniversary Declaration*

Certificates of Recognition:

Ferguson Avenue Revitalization Project
Hal Costie
Joseph Macaluso
Jim Drake
Agostino Ammendolia
Fred Muylaert
Mary Pocius
Lou Ulbinas
Pat Bramwell
Peter Pasalic
Eric Campbell

5. ***Adoption of the minutes of the meeting held 1996 December 10.***

6. ***Correspondence\Petitions***

7. ***Reports of the Standing Committees:***

   (a) Transport and Environment Committee
   (b) Parks and Recreation Committee
   (c) Planning and Development Committee
   (d) Finance and Administration Committee
   (e) Bingo Hall Review Committee
   (f) Nominating Committee

8. ***Notices of Motion for next meeting.***

9. ***Question Period.***

10. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 December 10
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was sung by Centennial Public School choir.

* * * * * * * * * * * *

Reverend Doctor John A. Johnston of MacNab Presbyterian Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 November 26 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow was presented with a tape with a special Sesquicentennial song called "We Stand Together in Hamilton" from Sandra Easterbrook, Music Teacher from Centennial Public School.

* * * * * * *

Mayor R. Morrow was presented with a picture of the Hamilton Tiger Lacrosse Team Association from General Richard Rohmer to hang in the Copps Coliseum Sports Hall of Fame.

* * * * * * *

Mayor R. Morrow presented the 1996 Hamilton Arts Award to Robert Mason and Certificates of Recognition to Brenda Connell and Candace Mallot.

* * * * * * *

Mayor R. Morrow accepted a presentation of four paintings from Jack McNie to be hung in City Hall.

CORRESPONDENCE

1. Letter dated 1996 December 4 from George Langadinos, Secretary/Treasurer, Hamilton Wentworth and District Mobile Signs Association Inc., Hamilton, Ontario respecting Mobile Sign Draft By-law Proposal.

   Referred to the Planning and Development Committee.

2. Letter dated 1996 December 2 from Ms. Susan L. Steele, Town Clerk for the Corporation of the Town of Dundas respecting Local Government in Hamilton-Wentworth. This correspondence was distributed to Members of City Council under separate cover on December 5, 1996).

   Received.

3. Letter dated 1996 December 3 from W. A. Thomas, General Manager, Hyrdo-Electric Commission of the City of Hamilton respecting a zero average increase in the wholesale cost of power for the year 1997.

   Received.

4. Application dated 1996 November 28 from 744457 Ontario Limited, o/a Vetrans Taxi respecting a change in zoning from "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for 488 King William Street, Hamilton, Ontario.

Received.

5. Letter dated 1996 December 9 from Mr. George Langadinos of Hamilton Wentworth and District Mobile Signs Association Inc. respecting the issue of mobile signs. (This is also referred to in Section 4 of the Twentieth Report of the Planning and Development Committee)

Referred to the Planning and Development Committee.

6. Letter dated 1996 December 7 from Joan McPhail of Ad-Vantage Signs respecting the issue of mobile signs.

Referred to the Planning and Development Committee.

7. Letter dated 1996 November 27 from Mr. Norman Preece of the Hamilton Health Sciences Corporation respecting the City's nine (9) nominees for membership on the Hamilton Health Sciences Corporation.

Referred to the Nominating Committee.

8. Facsimile dated 1996 December 9 from Mr. Barry Bender, 20 Paisley Avenue South, Hamilton respecting Local Government Restructuring.

Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of His Worship Mayor R. M. Morrow be considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTEENTH REPORT

Section 1 Re: Conflict of Interest

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter as his home is adjacent to the property being discussed.

* * * * * * * * *

Section 1 Re: Application for closure for an alleyway from Glenfern Ave to Amelia St

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1. **CARRIED.**

PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT

PLANNING & DEVELOPMENT COMMITTEE - TWENTIETH REPORT

Section 4 Re: A By-law to Regulate Mobile Signs on Private Property

It was moved by Alderman Drury and seconded by Alderman D'Amico that Item 4 of the Twentieth Report of the Planning and Development Committee for 1996 be referred back to the next meeting of the Planning and Development Committee. **CARRIED.**

* * * * * * * * * * *

Section 11(b) Re: Bill C-70: The introduction of a By-law to Regulate the Size, Use, Location, and Maintenance of Mobile Signs on Private Property within the City of Hamilton.

It was moved by Alderman Copps and seconded by Alderman Morelli that Section 11 of the Twentieth Report of the Planning and Development Committee for 1996 be amended by deleting Item 11(b). **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - TWENTIETH REPORT

Section 11 Re: Offer to Purchase Agreement for 8-10 Brantdale Avenue

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 11 of the Twentieth Report of the Finance and Administration Committee be referred back.

CARRIED.

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - THIRD REPORT

NOTICE OF MOTION FROM PREVIOUS MEETING
(Motion tabled at November 26, 1996 meeting)
Re: Local Government Restructuring

That Hamilton City Council endorse and approve the final "Memorandum of Negotiations", conducted with Gardner Church and agreed upon by the Negotiating Teams representing the City of Hamilton, the City of Stoney Creek, the Town of Ancaster and the Township of Glanbrook.

* * * * * * * * * *

It was moved by Alderman Eisenberger and seconded by Alderman Wilson that the motion respecting Local Government Restructuring be amended by deleting the words "and approve" in the first line and substitute in lieu thereof the words "in principle" and be further amended by adding after the word "Glanbrook" in the last line, the words "subject to review of the Provincial legislation", in order that the motion reads as follows:

"That Hamilton City Council endorse in principle, the final "Memorandum of Negotiations", conducted with Gardner Church and agreed upon by the Negotiating Teams representing the City of Hamilton, the City of Stoney Creek, the Town of Ancaster and the Township of Glanbrook, subject to review of the Provincial legislation."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Aldermen McCulloch, Copps. -2. **CARRIED.**

* * * * * * * * *

It was moved by Alderman Drury and seconded by Alderman Morelli that the motion of Alderman Eisenberger respecting Local Government Restructuring be further amended by adding the following as sub-section (b):

(b) That the Council of the Corporation of the City of Hamilton request the Province of Ontario to immediately implement representation by population for the new council, prior to restructuring.

Recorded vote.

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, Wilson, Eisenberger. -5.

CARRIED.

* * * * * * * * *

Recorded vote on challenge to the Chair "Mayors ruling to have "Representation by Population" to Alderman Drurys resolution as stand alone resolution

Recorded vote.

YEAS: Aldermen Caplan, McCulloch, Collins, D'Amico, Ross. -5.

NAYS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson. -11 **LOST.**

* * * * * * * * *

Motion as amended:

(a) That Hamilton City Council endorse in principle, the final "Memorandum of Negotiations", conducted with Gardner Church and agreed upon by the Negotiating Teams representing the City of Hamilton, the City of Stoney Creek, the Town of Ancaster and the Township of Glanbrook, subject to review of the Provincial legislation.

(b) That the Council of the Corporation of the City of Hamilton request the Province of Ontario to immediately implement representation by population for the new council, prior to restructuring.

Recorded vote on resolution as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Caplan, Agro, McCulloch, Copps. -4. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF JANUARY, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman D. Drury be appointed Acting Mayor for the month of January, 1997. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of His Worship Mayor R. M. Morrow, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at midnight.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 December 10
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter dated 1996 December 19 from R. C. Prowse, Regional Clerk for the Regional Municipality of Hamilton-Wentworth respecting Government Restructuring.

   Recommendation: Be Referred to the Finance and Administration Committee

2. Application dated 1997 January 3 from 822827 Ontario Inc., c/o A. DiSilvestro, 1 James Street South, Hamilton, Ontario for lands located on the north-west corner of Emperor Drive and Upper Wentworth Street, Hamilton, Ontario.

   Recommendation: Be Received

3. Application dated 1997 January 13 from Taba Developments Ltd., 1405 Upper Ottawa Street, Unit 10, Hamilton, Ontario for a change in zoning from "M-12" (Prestige Industrial) District modified to "M-11" (Prestige Industrial) District for 1423-1447 Upper Ottawa Street, Hamilton, Ontario.

   Recommendation: Be Received

4. Application dated 1997 January 15 from Vedemo Construction Limited, 155 Market Street, Hamilton, Ontario for a change in zoning from "RT-20" (Townhouse-Maisonette) District to "DE'2" (Multiple Dwellings) District for 240 Bow Valley Drive, Hamilton, Ontario.

   Recommendation: Be Received

5. Application dated 1997 January 20 from Rosart Properties, 225 South Service Road East, Oakville, Ontario for a modification to the "G-1" (Designed Shopping Centre) District for 310 Limeridge Road West, Hamilton, Ontario.

   Recommendation: Be Received

6. Application dated 1997 January 20 from Gus and Mike Holdings Ltd., 271 Limekiln Road, Ancaster, Ontario for removal of the "H" - Holding Provision for property at Chesley Street and Annabelle Street, Hamilton, Ontario.

   Recommendation: Be Received

REGIONAL MUNICIPALITY OF HAMILTC

Office of the Clerk

1.

December 19, 1996

Mr. Joseph Schatz, Clerk
City of Hamilton
71 Main Street West
City Hall, Hamilton
L8N 3T4

Dear Mr. Schatz:

Re: Government Restructuring

Regional Council at its meeting of December 17, 1996, adopted the following resolution:

"Whereas, this Regional Council has requested the constituent municipalities within its boundaries to place before their electors a municipal question related to the very important issue of the potential location of a casino; and

Whereas, the Regional Chairman and representatives of a majority of municipalities of Hamilton-Wentworth have agreed on principles which would form the basis of a new system of local government in its area; and

Whereas, the form and system of government is one of the most fundamental and far reaching issues facing the communities; and

Whereas, the public support for such a fundamental change in governance is essential to its successful functioning; and

Whereas, the Municipal Act makes provision for submitting to the electors a municipal question to allow the electors to express their preference on certain matters.

Now therefore, it is hereby moved that, this Council request municipal councils within the Region of Hamilton-Wentworth to give consideration to submitting to a vote of their electors, the following municipal question:

119 King Street West, 15th Floor
P.O. Box 910
Hamilton, Ontario L8N 3V9

Tel. (905) 546-4154
Fax (905) 546-2546
TDD (905) 522-1787

"On the basis of the Memorandum of Negotiations dated November 8, 1996, do you support becoming part of a new single municipality comprised of the existing municipal areas of Ancaster, Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek?"

Your favourable consideration with respect to this request would be greatly appreciated.

Yours truly,

Robert C. Prowse
Regional Clerk

RCP/amt

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the appropriate by-law be enacted to stop-up, close and sell the subject land being described as that portion of Upper Horning Road from Omni Boulevard to Upper Horning Road designated as Parts 2, 3, 4, 5 and 6 on Plan 62R-14003, and part of the original road allowance between Lots 54 and 55, Concession 3 in the geographic Township of Ancaster designated as Part 1 on Plan 62R-14003.

2. (a) That a "Permit Parking" regulation be implemented on the east side of Hughson Street North commencing at a point 323 feet north of Robert Street and extending to a point 24 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Arthur Taylor, No. 226 Hughson Street North.

3. That the existing "Permit Parking" regulation on the west side of Balsam Avenue South commencing at a point 189 feet north of Afton Avenue and extending to a point 16 feet northerly therefrom, and on the east side of Balsam Avenue South commencing at a point 174 feet north of Afton Avenue and extending to a point 19 feet northerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

4. That the existing "Alternate Side Parking" regulation on Daytona Drive between the south side of Delmar Drive and the northerly end be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on both sides of West 32nd Street, north of Bendamere Avenue, be extended to Leslie Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

6. That the existing "Permit Parking" regulation on the north side of Rebecca Street commencing at a point 84 feet west of Cathcart Street and extending to a point 19 feet westerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

7. That the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation on both sides of Picton Street West between Bay Street North and MacNab Street North be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

8. (a) That a "Permit Parking" regulation be implemented on the north side of Beechwood Avenue commencing at a point 164 feet west of Lottridge Street and extending to a point 20 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Angelic Lymberopoulos, No. 103 Beechwood Avenue.

9. (a) That a "Permit Parking" regulation be implemented on the east side of Ruth Street commencing at a point 89 feet south of Case Street and extending to a point 21 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. James Fitzgibbon, No. 14 Ruth Street.

10. That the Commissioner of Public Works and Traffic be authorized to issue, upon request, five Time Limit Exemption Permits to each of the first five eligible applicants residing in the apartment building at No. 146 Locke Street South.

11. That all-way stop control be implemented at the intersection of Carson Drive and Landron Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

12. (a) That all-way stop control be implemented at the intersection of Walnut Avenue and Forest Avenue; and,

(b) That all-way stop control be implemented at the intersection of Ferguson Avenue South and Forest Avenue; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

13. That a "Wheelchair Loading Zone, 8:00 a.m. to 8:00 p.m., Seven Days a Week" regulation be implemented on the east side of Emerald Street North commencing at a point 216 feet north of Barton Street East and extending to a point 32 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

14. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be installed:

Route No. 22 Upper Ottawa

Add - Eastbound - Harlowe Road, south side, 346 feet west of the centre line of Pritchard Road (M/B); and,

Route No. 33 Sanatorium

Add - Northbound - Goulding Avenue, east side, 30 feet south of the south curb line of San Greco Drive (N/S); and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That the following City land be incorporated into the following streets:

Carson Drive	Block CX	Plan M-89
	Parts 2, 5, 12, 14 and 15	Plan 62R-12439
Paris Avenue	Block 13	Plan 62M-706

Kingsberry Street	Block 34	Plan 62M-461
	Part 10	Plan 62R-12439
	Part 1	Plan 170971LT
Palace Boulevard	Part 8	Plan 62R-12349
	Part 1, 2, and 3	Plan 263314LT
Dicenzo Drive	Part 3	Plan 62R-10945

(b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by City Council; and,

(c) That the Commissioner of Transportation be authorized and directed to register the By-laws.

16. That City Council receive the following information:

That the Transport and Environment Committee at its meeting held 1997 January 20 appointed Danielle Marchese to serve on the Keep Hamilton Clean Committee for a term to expire 1999 December 31 and Frank Westaway to serve on the Keep Hamilton Clean Committee for a term to expire 1998 December 31.

17. That Section 32 of the Fourteenth Report of the Transport and Environment Committee for 1993 approved by Council on 1993 November 9, respecting the issuance of a purchase order to Harm Schilthuis and Sons Limited for the construction of a reinforced concrete liner for Red Hill Creek, east of Quigley Road and north of Greenhill Avenue be rescinded.

18. (a) That the City acquire at an estimated cost of $55,000 for highway purposes from Canada Lands Company Limited a parcel of land that has been leased to the City by Canadian National Railways since 1917 for the portion of Ferguson Avenue South between King Street and Main Street; and,

(b) That the Director of Property be authorized and directed to negotiate the said purchase from Canada Lands Company Limited for recommendation to Council; and,

(c) That the Finance and Administration Committee be requested to recommend a method of financing the proposed purchase.

19. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

Item		Maximum Charge per Metre of Frontage Existing 1996	Proposed 1997
(i)	Curb Only	$ 79.00	$ 63.00
(ii)	Sidewalks Only	$101.00	$ 98.00
(iii)	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	$151.00	$135.00
(iv)	Roadway Only	$260.00	$245.00
(v)	Alleys	$107.00	$111.00
(vi)	Roadway and Curbs only (Industrial Subdivisions)	$349.00	$329.00

(b) That the Commissioner of Public Works and Traffic be authorized and directed to amend the Local Improvement By-law.

20. That the following Bills be adopted, signed and sealed and enrolled as By-laws:

(a) A-1 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(b) A-2 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(c) A-3 A By-law to Stop-up, Close and Sell that Portion of Upper Horning Road from Omni Boulevard to Upper Horning Road, Designated as Parts 2, 3, 4, 5 and 6 on Plan 62R-14003, and that Portion of the Original Road Allowance between Lots 54 and 55, Concession 3 in the Geographic Township of Ancaster Designated as Part 1 on Plan 62R-14003

(d) A-4 A By-law to Incorporate City Land Designated as Block CX, Plan M-89, and Parts 2, 5, 12, 14 and 15 on Plan 62R-12439 into Carson Drive

(e) A-5 A By-law to Incorporate City Land Designated as Block 13, on Plan 62M-706 into Paris Avenue

(f) A-6 A By-law to Incorporate City Land Designated as Part 10 on Plan 62R-12439, Block 34 on Plan 62M-461 and Part 1 on Plan 170971 L.T. into Kingsberry Street

(g) A-7 A By-law to Incorporate City Land Designated as Part 8 on Plan 62R-12349 and Parts 1, 2 and 3 on Plan 263314 L.T. into Palace Boulevard

(h) A-8 A By-law to Incorporate City Land Designated as Part 3, on Plan 62R-10945 into Dicenzo Drive

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary

1997 January 20th

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the Director, Culture and Recreation Department, be authorized to apply for a federal grant from the Museum Assistance Program, Department of Canadian Heritage, to request funding assistance towards the purchase of disaster preparedness supplies and equipment for the five City of Hamilton Museums.

2. (a) That Council recognize International Children's Games Hamilton Inc. as a bona fide private not for profit community organization responsible for Hamilton's participation in the International Children's Games; and,

   (b) That Council approve grant funding in the amount of $21,505 to International Children's Games Hamilton Inc. for the purpose of paying for transportation and associated costs to send up to sixteen (16) young City of Hamilton athletes to the 1997 International Children's Games in Sparta, Greece, 1997 June 11 to June 17; and,

   (c) That these funds be charged to Account No. CH55201 78211; and,

   (d) That International Children's Games Hamilton Inc. accept responsibility for any financial shortfall associated with the delegation's participation in the Games.

3. (a) That pursuant to the approved plan for use of " Glen Manor - The Veever's Home", the Director of Property be authorized to finalize a one year lease with Mr. N. M. Tomlinson, effective 1997 February 1, in a form satisfactory to the City Solicitor; and,

   (b) That the lease provide for the tenant to be responsible for all utility costs, day to day personal living expenses and content insurance for any personal belongings and/or household effects brought into the residence during the lease period; and,

(c) That in lieu of payment of rental charges fixed at $1,500 per month and annual property taxes totalling $6,775 for 1996, Mr. Tomlinson will undertake to complete a project on behalf of the Parks Division as detailed in the Terms of Reference attached hereto as Appendix "A"; and,

(d) That a Consultant's contract for services be entered into by the City with Mr. N. M. Tomlinson to provide the services to the City referred to above, in return for the City's provision of the said rent-free accommodation. The subject contract shall be in a form satisfactory to the City Solicitor.

4. (a) That increases in user fees for youth sports organizations as recommended by Parks and Recreation Committee at its meeting of 1996 December 9 for consideration by Committee of the Whole during the 1997 current budget process be frozen for one year; and,

(b) That a target subsidy rate of 70% of full costs be approved, in principle, and that the Director of Culture and Recreation be authorized to meet with youth sport organizations for the purposes of establishing an implementation plan for achieving this subsidy rate; and,

(c) That the Director of Culture and Recreation be authorized to bring forward a draft policy and guidelines that clarifies the working relationship between the City and community sports organizations and criteria for eligibility for City subsidy for consideration of the Parks and Recreation Committee at its February meeting.

5. That the City Solicitor be authorized to amend the contract between the City of Hamilton and JA Enterprises of Dundas, the operator of the concessions at Chedoke Civic Golf Courses as follows:

(a) the annual amount payable to the City of Hamilton for the concession rights be reduced from $21,000 to $18,000; and,

(b) the City of Hamilton to assume 100% of the energy costs associated with the golf clubhouse.

6. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

B-1 A By-law to Amend By-law No. 92-216 respecting the Construction of T. B. McQueston Community Park on Upper Wentworth

Respectfully Submitted,

ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson, Secretary

1997 January 21

Appendix "A" as referred to in Section 3 of the FIRST Report of the Parks and Recreation Committee for 1997

CONSULTING SERVICES TO ESTABLISH A PROGRAM FOR NATURALIZATION AND ECOLOGICAL RESTORATION WITH THE CITY OF HAMILTON

TERMS OF REFERENCE

I. INTRODUCTION

Within the City of Hamilton there are significant natural areas in public ownership that are important for a variety of environmental reasons including biodiversity, natural wildlife habitat, microclimatic and hydrological functions. These diverse natural areas are found along the Niagara Escarpment, in the Redhill Creek and Chedoke Creek valleys and areas on the harbour and Lake Ontario shoreline. Specific natural areas such as the Niagara Escarpment, have received most of the attention with regard to land use policy and development control, factors which are consistent with the Region of Hamilton-Wentworth's status as a Model Sustainable Community. While public ownership, policy statements in Official Plans and regulatory controls are highly regarded components of effective greenlands strategies, management practices associated with natural areas require increasing attention if these "ribbons of green" are to sustain healthy communities of plant and animal species.

Since 1993, the Region's work on the Greenlands project has been substantial, with regard to mapping and documentation of restoration priorities. However, there is considerable work left to do in terms of evaluating sites where desired landscape features have become degraded or non-existent. These landscapes could be restored through natural processes, active intervention or some combination of the two. The proposed work program addresses this outstanding concern.

Using the Region's base mapping and inventory data combined with field work on soil and site conditions, seed source supply, indigenous plants, etc. the project will conclude with recommendations on restoration work(s), funding requirements, time implications and opportunities for public/private partnerships to assist in implementation. This project represents an important step toward ensuring the health and integrity of our City's natural resources.

II. BACKGROUND

City Council approved a list of recommendations in June 1995 pertaining to the Veever's Estate including a plan for the long term use of the property.

.../2

Following Council's direction, staff commenced a modest campaign in search of qualified candidate(s) for the purpose of selecting a tenant (hereafter referred to as consultant) who would occupy the estate under the terms of the approved plan.

In lieu of paying the monthly rental rate of $1,500. plus taxes totalling $24,775.00 for the one year lease period, the consultant will be responsible for undertaking a work program designed to equal the value of the rent plus taxes. This unique arrangement and subsequent arrangements like it will enable the City, through its Parks Division, to annually access the expertise of individuals in the horticultural/historical fields on a consultative basis when budgetary constraints may dictate otherwise.

The work program addresses the expectation of the City to play an active role toward the implementation of a Regional Greenlands System. The goals of Vision 2020 adopted by the Region in 1993 explicitly support the conservation of biological diversity through various mechanisms including,

> ....a system of interconnecting protected natural areas which provides for the growth and development of natural flora and fauna and, where appropriate, provides access for all citizens of Hamilton-Wentworth.

City of Hamilton Parks Division staff will be involved in working with the consultant toward the completion of the defined work program.

III. OBJECTIVES

1. To explore the potential for implementing the Regional Greenlands System through conservation management of natural areas in the City of Hamilton as identified in "Towards a Regional Greenlands System".

2. To identify Core Natural Areas, Linkages and Restoration opportunities as described in the Greenlands System Criteria using Greenlands Mapping and the Natural Areas Data Base.

3. To evaluate the sites requiring restoration identified through the Greenlands Project and other sources and establish priority area and implementation strategies applicable to each.

.../3

IV. SCOPE OF WORK

Under the direction of the City of Hamilton, Parks Division, the consultant shall undertake the following work within the schedule discussed in Section V.

1. Working with City staff, become familiar with existing programs for naturalization and ecological restoration under the jurisdiction of the City.

2. Become familiar with the Region's Greenlands System and the 'landscape ecology' approach employed by the Region in response to the decline of isolated natural areas.

3. Using the Greenlands mapping and site specific information available from the Region, undertake a field survey of possible restoration sites for orientation purposes and to establish a priority list for more in depth field work.

4. In consultation with the City and Regional staff, develop a working definition of open-spaces and natural environment for the City consistent with the Region's Vision 2020.

5. In consultation with City staff, develop a menu of conditions to be investigated in the field at each of the priority restoration sites together with a system for rating each factor for purpose of illustrating extent of upgrade needed to sustain desired habitat(s).

6. Undertake field work at priority restoration sites and prepare an interim report for each location documenting findings based on range of factors developed under paragraph 5.

7. Provide recommendations for restoration work(s) pertaining to funding requirements, time implications and opportunities for public/private partnerships to assist in implementation.

8. Develop practical management strategies to protect, restore, and enhance open spaces and the natural areas, which can be considered for inclusion into the City's Official Plan.

9. Document all findings in a final report.

V. SCHEDULE

This work program is designed to coincide with a lease arrangement between the City of Hamilton and the consultant, involving residency at 22 Veevers Drive. The lease period is for 1 year, effective February 1, 1997.

.../4

For the purpose of commencing this project, the Manager of Parks shall convene an orientation meeting involving the consultant and affected staff, said meeting to be arranged prior to February 28, 1997. At this time a work schedule will be finalized and will include a regular series of meetings for the purpose of reporting progress.

VI. FEES

There is no fee payment to accompany this project as this work program represents a unique arrangement stemming from the City's ownership and obligations relative to Glen Manor - the Veever's Home. This work program has been designed to equal the value of rent plus annual taxes for a 1 year period at 22 Veever's Drive.

PSU/RWC

1997 January 28

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. (a) That approval be given to City Initiative CI-96-K, for a change in zoning from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified, for property located at 8-10 Brantdale Avenue, shown on the attached map marked as Appendix "A", on the following basis:

   (i) That the lands be rezoned from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District; and,

   (ii) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

      (1) That notwithstanding Section 10.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height; and,

      (2) Notwithstanding Section 10(3)(ii) of Zoning By-law No. 6593, a side yard along each side lot line of a width of at least 0.91 m (3.0 ft.) shall be provided and maintained; and,

      (3) Notwithstanding Section 10(4)(i) of Zoning By-law No. 6593, each lot for a single-family dwelling shall have a minimum lot width of 9.0 m (30 ft.) and an area of at least 275 m^2 (2960 S.F.); and,

      (4) That the total gross floor area of all dwelling units or parts thereof on each lot shall not exceed 0.45 times the lot area; and,

(5) Notwithstanding Section 2.(2)J.(viiia) of Zoning By-law No. 6593, "Gross Floor Area" is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

(i) an attached garage;
(ii) a detached garage; and,
(iii) the floor occupied by heating, air conditioning and laundry equipment;

(6) For the purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9; and,

(7) In addition to the requirements of Section 18A of Zoning By-law No. 6593, where a dwelling is constructed with an attached garage, then the finished level of the private garage floor shall be a minimum of 0.3 metres above grade; and,

(8) That a visual barrier not less than 1.2 m to 2.0 m in height shall be provided and maintained along a lot line that abuts a commercial district; and,

(9) That any visual barrier along any side lot line shall be setback a minimum of 2.0 m from the front lot line; and,

(10) That Section 18(2)(i) of Zoning By-law No. 6593 shall not apply to the subject lands; and,

(iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1373, and that the subject lands on Zoning District Map W-7 be notated S-1373; and,

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-7 for presentation to City Council; and,

(v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. (a) That approval be given to Application RR-96-001, under the Rental Housing Protection Act, Bold Street Holdings Ltd., owner, for renovations to the buildings at 123 - 125 Bold Street, Hamilton, containing 111 rental apartment units, as shown on Appendix "B", subject to the following condition:

   (i) That the owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval; and,

   (b) That upon satisfaction of the above-noted condition, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.

3. That the City Council support the initiative to consider a change in the traffic pattern in the Downtown Core, that the report to do so be expedited , and that this resolution be forwarded to the Regional Transportation Services Committee and the Transport and Environment Committee for consideration.

4. That the City of Hamilton through the Building Department Housing and Loans Division, without prejudice, reimburse Mr. and Mrs. Mohammed of 261 Cranbrook Drive in the amount of $2,875 which was payable through the former OHRPD programme, and that the payment be subject to the Mohammed's signing a letter of release regarding the outstanding legal action.

5. (a) That Council forward a letter of thank you to the Hamilton Society of Architects, which commends their hard work, enthusiasm, and commitment to finding positive and meaningful solutions for downtown Hamilton; and,

   (b) That the report entitled "Hamilton Downtown Ideas Charrette: Final Report" be received and referred to the Downtown Partnership for coordination with the "Strong Medicine" Report; and,

   (c) That staff and the Downtown Partnership continue to work on the implementation of the conclusions numbered 1-5, as outlined in Appendix "C"; and,

   (d) That the conclusions numbered 6, 7, and 8, as outlined in Appendix "C", respecting the downtown planning be incorporated into the terms of reference for the Downtown Neighbourhood Secondary Plan; and,

   (e) That the conclusions numbered 9 and 10, as outlined in Appendix "C", respecting parking and two-way traffic, be referred to the Downtown Initiatives Committee for review and recommendation.

6. (a) That the Public Works and Traffic Department be authorized to give to each Business Improvement Area in the City of Hamilton 5 sesquicentennial banners free of charge ; and,

   (b) That the remaining sesquicentennial banners be sold at a cost of $25 each , inclusive of G.S.T. ; and,

   (c) That the revenue derived through the selling of the banners be credited to the account utilized to purchase same (Account Number CF 5698 428705099 - the Commercial Improvement Program).

7. (a) That under the Commercial Improvement Program, luminaries be affixed to building faces abutting alleyways within the Concession Street B.I.A., to increase security of the alleyways; and,

   (b) That the City Solicitor be authorized to prepare the necessary legal agreements to attach and maintain the lighting fixtures to private property; and,

   (c) That the Mayor and City Clerk be authorized to execute the agreements referenced in (b) above.

8. (a) That the City of Hamilton accept donations of $30,000 from the Crown Point East/McAnulty Citizens' Advisory Committee/individual donors for future construction of capital projects in St. Christopher's Park/Pipeline Park; and,

   (b) That the funding appropriation for the Capital Budget Project entitled Crown Point East/McAnulty, Account No. CP4010 429407001 be increased to $430,000 from $400,000 to include the neighbourhood/individual donations; and,

   (c) That the City Solicitor be authorized to amend the appropriate By-law to increase the gross cost from $400,000 to $430,000, subject to receiving $30,000 donation, with no increase in debenture authority; and,

   (d) That an income tax receipt be issued for each donation to the City of Hamilton for $10 or more.

9. (a) That the City of Hamilton reimburse the Canadian Mental Health Association $39,619.89, representing the remainder principal portion of the original grant of $325,000; and,

(b) That, as agreed by the Canadian Mental Health Association, the interest earned on the fund since inception, currently amounting to $24,652.13, be retained by the City for administration charges which is to be credited to account CH 44008 50001.

10. (a) That $25,000 of the $40,000 budget of the Street Festival Component of the 1996-1997 Barton Street Redevelopment Program be reallocated to the Street Enhancement Component; and,

(b) That $25,000 of the $40,000 budget of the Street Festival Component of the 1997-1998 Barton Street Redevelopment Program be reallocated to the Street Enhancement Component; and,

(c) That staff be authorized and directed to request approval from the Ministry of Citizenship, Culture & Recreation for the reallocation of funds as stated above.

11. That the Building Commissioner be authorized to issue a demolition permit for 152 Simcoe Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

12. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars ($2,000) be approved for Emily Archer, 327 Hixon Road. The interest rate will be 8 per cent amortized over 5 years.

13. That approval be given to the request by Bowlerama Limited, owner of the lands at 121 Highway No.8 , as shown on the attached map marked as Appendix "D", for an extension to the approval of Site Plan Control Application DA-93-32 to January 19, 1998, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

14. (a) That approval be given to Part Lot Control Application 96-03, 100 Main Street East Ltd., owner, to remove part-lot control for Lots 67 - 78, inclusive, located in "Rymal Estates", to permit the creation of 11 lots from the existing 12 lots, as shown on the attached map marked as Appendix "E"; and,

(b) That the attached By-law, marked as Appendix "F" to remove part lot control from Lots 67 to 78 inclusive, Registered Plan 62M-679, "Rymal Estates" plan of subdivision, be enacted by Council; and,

(c) That the exempting By-law be restricted to a 90 day effective time period; and,

(d) That following the enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs and Housing) be requested to grant approval to the By-law and endorse the same on the By-law.

15. (a) That approval be given to the request by John Parente, Solicitor for 822827 Ontario Inc., owner, for a 3 month extension to remove part-lot control to establish maintenance easements for Lots 1 - 19, inclusive, located in "Allison Estates, Phase 1, Stage 2", Registered Plan No. 62M-795, as shown on Appendix "G"; and,

(b) That the attached By-law, marked as Appendix "H" to extend part-lot control from Lots 1 to 19, inclusive, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2" plan of subdivision, effective until April 1, 1997, be enacted by Council.

16. (a) That the City of Hamilton request the Regional Municipality of Hamilton-Wentworth to defer the Medium Density designation on Schedule A5 - Secondary Plan and Policy 13.5.15 of the City of Stoney Creek Official Plan Amendment No. 66 (Olde Town Secondary Plan) until such time as the City of Hamilton and the City of Stoney Creek can resolve the planning issues related to the Cardinal Newman High School site; and,

(b) The City Clerk be requested to inform the City of Stoney Creek of the City of Hamilton's request for deferral for the above noted policy and Secondary Plan designation.

17. That Site Plan Control By-law No. 79-275, as amended, be further amended to include lands at 130-136 Kenilworth Avenue North, as shown on the attached map marked as APPENDIX "I".

18. That the appropriate staff (eg. Law and Planning and Development Departments) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to approve Application No. B-96-6, respecting a land severance for lands located at No. 85 Mountain Avenue, as shown on the attached map marked as Appendix "J".

19. That the City of Hamilton accept the sum of $21,250. as cash payment in lieu of the 5% land dedication in connection with Bar-Brock Estates - Phase 4, and $23,750. as a cash payment in lieu of the 5% land dedication in connection with Eagleview Estates - Phase 1, Hamilton, being the cash payments required under Section 51.1 of the Planning Act.

20. (a) That Alderman W. McCulloch be authorized to attend the 1997 Making Cities Livable Conference, to be held March 9 to 13, Charleston, South Carolina; and,

    (b) That costs for attendance be allocated to Alderman Travel Account No. CH55201 10010 from the 1997 Operating Budget.

21. (a) That the Chairperson of the Planning and Development Committee or his designate be authorized to attend the 197 APA National Conference, to be held April 5 to 9, San Diego, California; and,

    (b) That costs for attendance be allocated to Alderman Travel Account No. CH55201 10010 from the 1997 Operating Budget.

22. That the appropriate staff (eg. Law and Planning and Development Departments) be authorized to attend the Ontario Municipal Board hearings in support of the Committee of Adjustment decisions to deny Applications No. A-96-174, respecting property located at No. 165 Queenston Road and No. A-96-179, respecting property located at No. 72 Nash Road South.

23. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

    (a) C-01 By-law to Amend By-law 86-99 as Amended by By-laws No. 92-056 and 96-195 Respecting Members of the Board of Management of the Ottawa Street North Business Improvement Area.

    (b) C-02 By-law to Amend By-law No. 86-73 as Amended by By-laws No. 92-058 and 95-046 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.

    (c) C-03 By-law to Amend By-law No. 87-308 as Amended by By-laws No. 92-079 and 95-044 Respecting Members of the Board of Management of the Barton General Business Improvement Area.

    (d) C-04 By-law to Amend By-law No. 86-212 as Amended by By-laws No. 92-057 and 95-041 Respecting Members of the Board of Management of the International Village Business Improvement Area.

    (e) C-05 By-law to Amend By-law No. 92-078 as Amended by By-law No. 95-043 Respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.

(f) C-06 By-law to Amend Zoning By-law No. 6593 Respecting Lands Bounded by Cannon Street, Queen Street, Hunter Street, Walnut Street, Jackson Street, Ferguson Avenue, Main Street, Wellington Street, Rebecca Street and Mary Street.

(g) C-07 By-law to Establish Site Plan Control Respecting Lands Located at Municipal Nos. 130-136 Kenilworth Avenue North.

(h) C-08 By-law to Remove Land Within the "Rymal Estates" Subdivision, Plan 62M-679 from Part Lot Control.

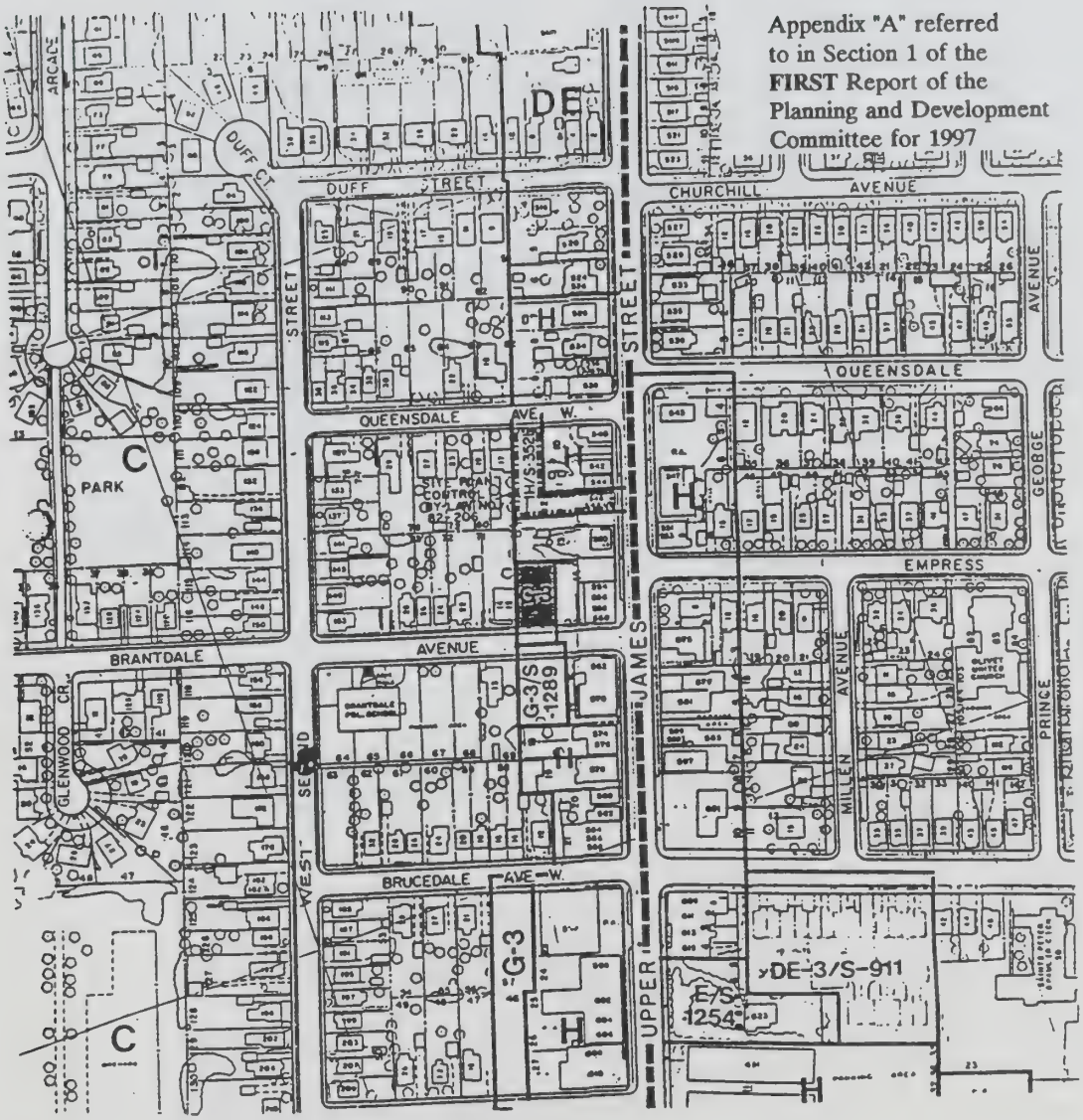
(i) C-09 By-law to Extend By-law No. 96-174 Respecting Land Within the "Allison Estates - Phase 1, Stage 2" Subdivision, Plan 62R-13933.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1997 January 22

Appendix "A" referred to in Section 1 of the **FIRST** Report of the Planning and Development Committee for 1997



Legend

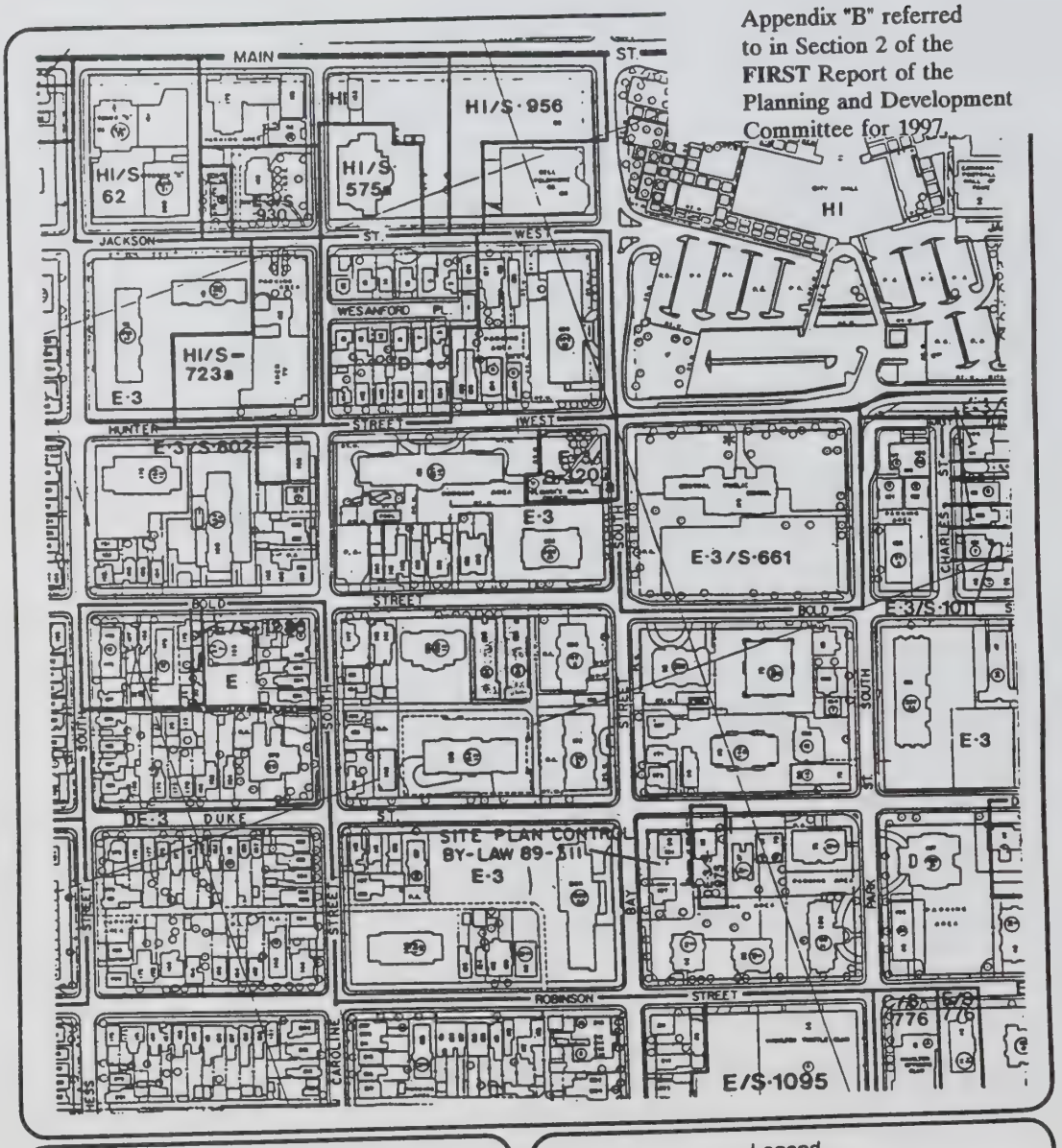
Site of the Application

CI-96-K

From: "G-3" (Public Parking Lots) District

To: "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District - modified

Appendix "B" referred to in Section 2 of the **FIRST** Report of the Planning and Development Committee for 1997.



City of Hamilton

Key Map

Rental Housing Protection Act

123-125 Bold Street

Planning and Development Department

Legend

Appendix " "

Location of Subject Lands

North	Scale	Reference File No.
	Not to Scale	RR-96-001
	Date	Drawn By
	November 1996	R.L.

CONCLUSION

In celebrating the City of Hamilton's Sesquicentennial Birthday, the Hamilton Society of Architects unanimously agreed the most appropriate gift we could present our city with would be in the area we, as a group of professionals, excel in - namely - in the understanding of how and why cities work.

The purpose of the "Downtown Ideas Charrette" was to bring an understanding to the public why our downtown is in such decline and what steps can be taken to bring a new sustainable life to downtown Hamilton. Public awareness of the issues and solutions are critical to the revitalization of our city-centre, as the main ingredient to the solution is the public's incentive to bring back our city-centre as the heart of our community, reflecting our energy, vibrancy, aspirations and entrepreneurial spirit.

What follows is list of recommendations collected and summarized from the 5 teams by the Charrette Organizing Committe. If these recommendations are realized we as a community can be very hopeful that our "heart" may once again beat with some certainty.

1 Lobby the provincial government for re-evaluation of downtown as a special enterprise zone with property assessment policies on either a market value, actual value or unit value tax assessment base.

2 Focus on attracting new growth and small scale manufacturing industries to downtown Hamilton (regional wineries, biomedical firms, telecommunications industries, etc.).

3 Create a "Hamilton Downtown Facilitator" position with an urban design/architectural background operating at arm's length from government bodies responsible for:

- Promoting development opportunities,
- Recruiting tenants,
- Facilitating and encouraging development permit applications,
- Encouraging site regeneration vs. demolition,
- Generating and maintaining an inventory of available space,
- Matching occupancy opportunities with available space,
- Coordinating event based promotions,
- Coordinating and managing marketing promotions, etc.

4 Market downtown as a dynamic, environmentally clean and convenient live/work environment focussing on growth/redevelopment potential and telecommunications strength.

5. Together with emerging existing occupancies (educations, medical, commercial, retail, institutional, cultural...) encourage new occupancies that promote a robust residential population namely:

   - Affordable housing,
   - Student accommodation,
   - Condominium conversions (ex. Piggott building),
   - "H-Offices" (home office environments),
   - Loft conversions, etc.

6. Create the Downtown as a separate neighbourhood.

7. Establish the downtown as a "no zone" zone deregulating zoning and reducing red tape. The "no zone" policy should include:

   - Restrictions on land uses to be limited to noxious uses and certain types of industrial uses,
   - Development should be controlled through a development permit process and built-form standards such as density, building height, setbacks/build-to lines, parking and servicing requirements,
   - A maximum building height of 6 storeys,
   - Elimination of all development charges.

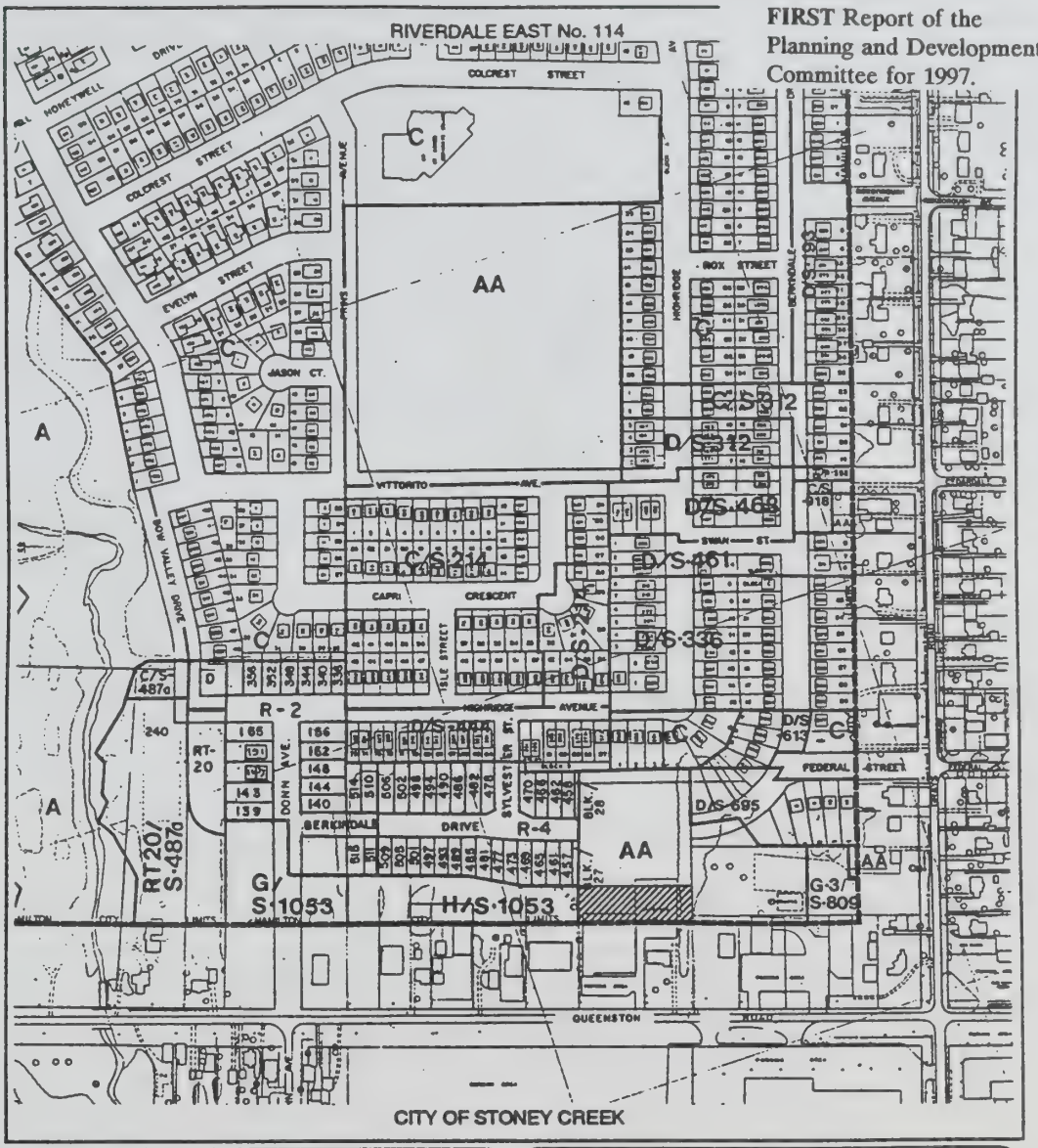
8. Develop a series of 'green links' as the primary organizing framework for the core connecting existing and proposed streets, parks, cultural facilities and other precincts within the core.

9. Parking

   -Introduce a parking credit system encouraging businesses to buy parking (or granted by the City to tax paying businesses) as an incentive for their customers.
   -Implement a more tolerant parking enforcement policy with warning notice issuance prior to fine enforcement.
   -Encourage lower prices for short-term parking.
   -Employ new technologies providing parking rights by time and on a broader payment basis (i.e. credit card payment, card accounts).
   -Reduce the number of parking lots.

10. Return James St. And King Streets to two-way traffic.

Appendix "D" referred to in Section 13 **FIRST** Report of the Planning and Development Committee for 1997.



City of Hamilton

Plan Showing
Lands Subject to

Site Plan Control Application DA-93-32

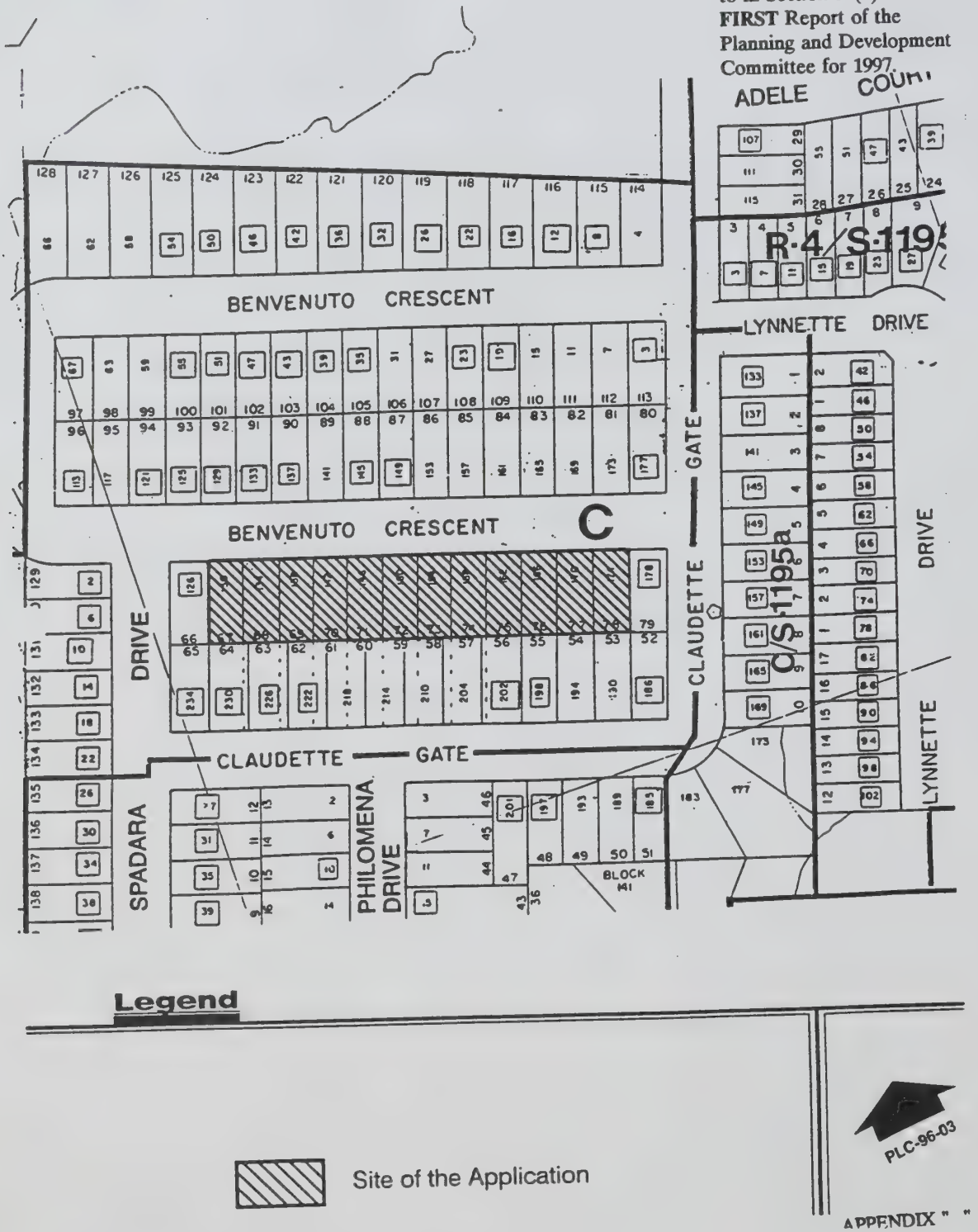
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Site of the Application

North	Scale	Reference File No.
	NOT TO SCALE	DA-93-32
	Date	Drawn By
	SEPTEMBER 1993	Z.K.

Appendix "E" referred to in Section 14(a) of the **FIRST** Report of the Planning and Development Committee for 1997.



Appendix "F" referred
to in Section 14(b) of the
FIRST Report of the
Planning and Development
Committee for 1997.

The Corporation of the City of Hamilton

BY-LAW NO. 97—

To Remove
Land within the "Rymal Estates" Subdivision, Plan 62M-679
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

APPENDIX "F"

(7.5) **Amendment or repeal. --** The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

Lots 67 to 78 inclusive within Registered Plan Number 62M-679, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton–Wentworth.

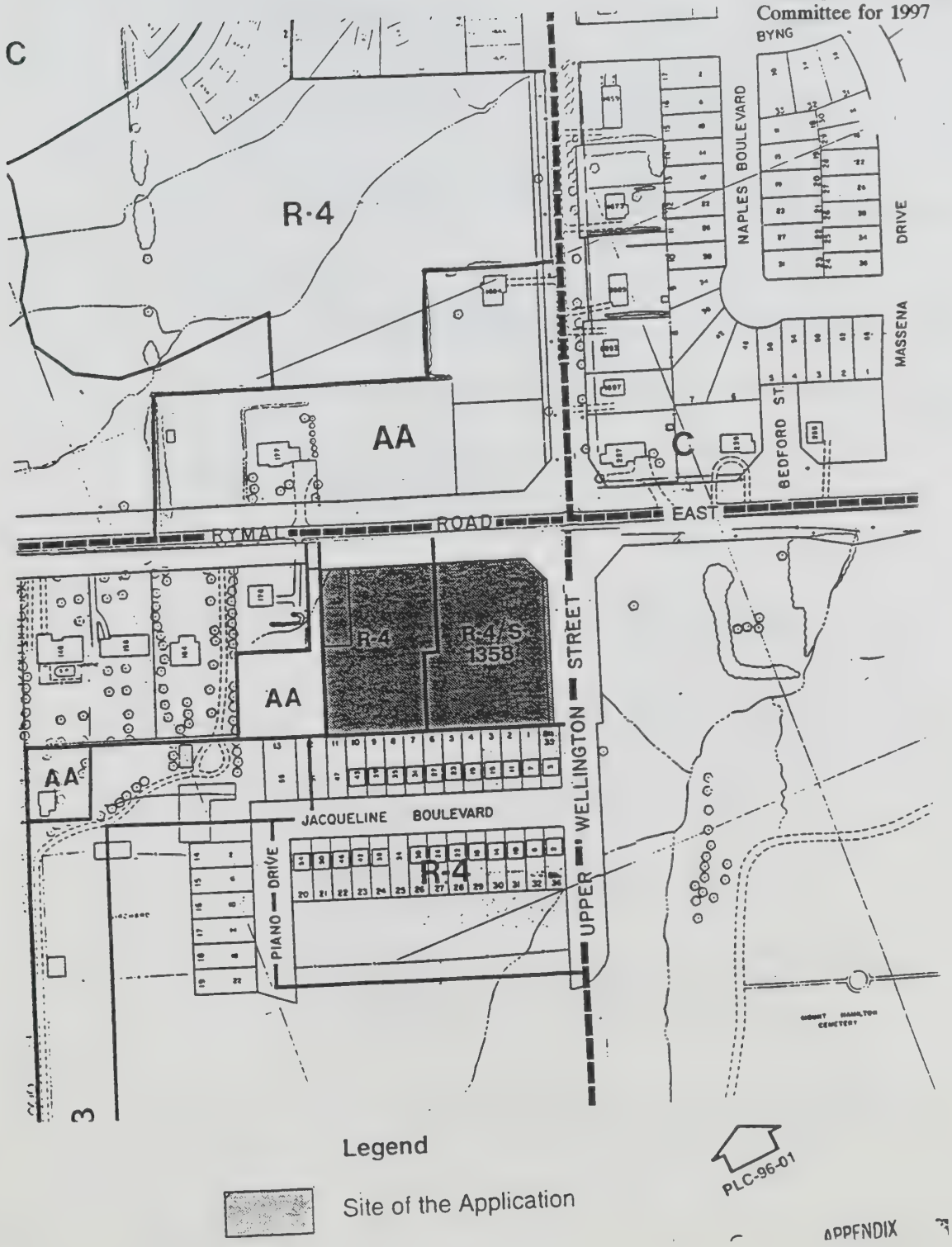
(b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

(c) This By-law shall expire on May 1, 1997.

PASSED this day of A.D. 1997.

City Clerk Mayor

Appendix "G" referred to in Section 15(a) of the **FISRT** Report of the Planning and Development Committee for 1997



1997 January 28

Appendix "H" referred to in Section 15(b) of the **FIRST** Report of the Planning and Development Committee for 1997

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Extend By-law No. 96-174

Respecting:

LAND WITHIN THE "ALLISON ESTATES - PHASE 1, STAGE 2" SUBDIVISION, PLAN 62R-13933

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 96-174 on October 29, 1996 to remove the lands described in section 1 thereof from part lot control, which by-law shall expire on February 1, 1997;

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 96-174;

AND WHEREAS approval under subsection (7.1) is not required for an extension in accordance with subsection (7.4);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 96-174 is hereby repealed and the following substituted therefor:

"(c) This By-law shall expire on April 1, 1997."

2. In all other respects, By-law No. 96-174 is hereby confirmed, unchanged.

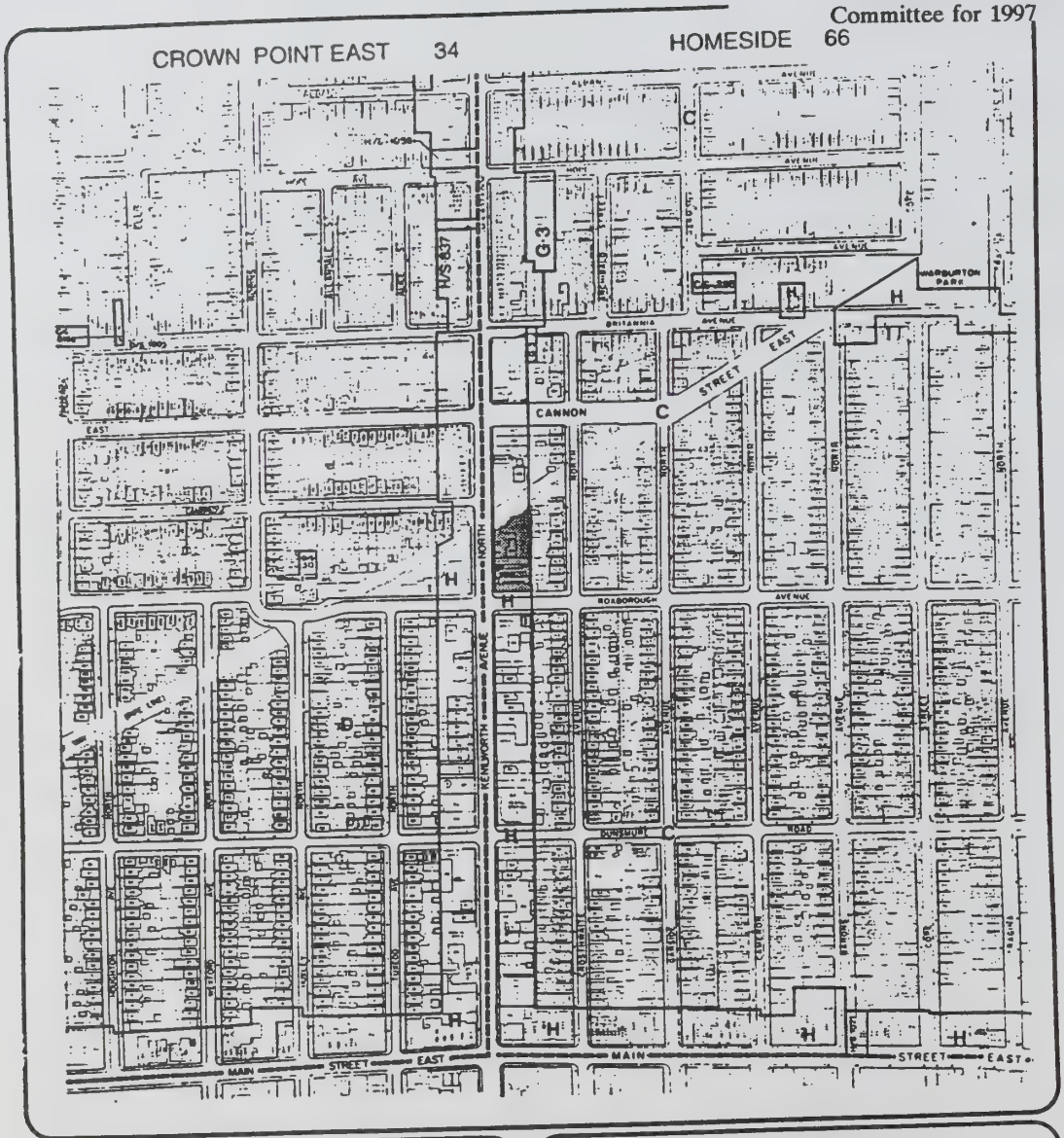
3. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 96-174.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

(1997) 1 R.P.D.C. , January 28

Appendix "I" referred to in Section 17 of the **FIRST** Report of the Planning and Development Committee for 1997



City of Hamilton

Plan Showing Lands Subject to

Site Plan Control Application DA-96-23

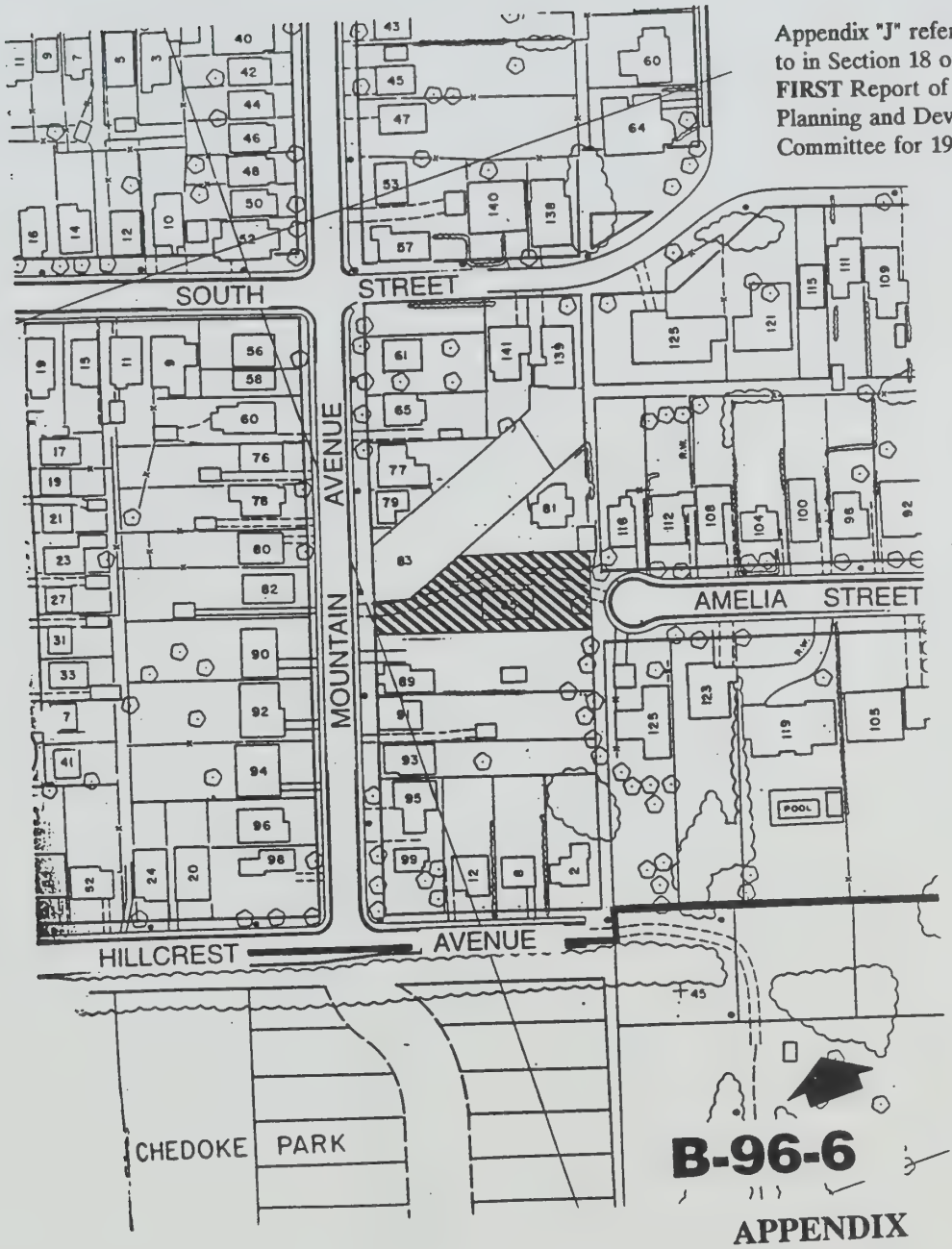
Planning and Development Department

Legend

Site of the Application

North	Scale	Reference File No.
	Not to Scale	DA-96-23
	Date	Drawn By
	OCTOBER 1996	R.L.

Appendix "J" referred to in Section 18 of the **FIRST** Report of the Planning and Development Committee for 1996



B-96-6

APPENDIX

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. (a) That approval be given to the Art Gallery of Hamilton to situate a sculpture entitled "Breath" by Canadian artist and sculptor John McEwen, in the Irving Zucker Sculpture Court on Commonwealth Square; and,

   (b) That approval be given to the Art Gallery of Hamilton to move two sections of benches in the Sculpture Court for the placement of this sculpture at a cost to be paid by the Art Gallery.

2. (a) That the City resolve Ontario Court (General Division) Action # 29000/91 by payment to the Plaintiff, Eileen Laslo, of the sum of $49,980.49 inclusive of all claims for damages, interest and costs; and,

   (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

   (c) That Ontario Court (General Division) Action # 29000/91 be dismissed without costs.

3. That pursuant to By-law 91-089, the invoice submitted by Douglas Hodgson, Turkstra Mazza Shinehoft Mihailovich Associates, for the City's Chief Administrative Officer in the amount of $5,753.76 and such future invoices satisfactory to the City Solicitor be charged to Account Number CH 55428-44001, Outside Counsel.

4. That the City Offer to resolve all issues outstanding between itself and Frank Bufalino and Sons Construction Limited in Ontario Court (General Division) Action # 34571/94 on the following terms:

   (a) That the City shall pay to the Plaintiffs, Frank Bufalino and Sons Construction Limited, the sum of $22,981.69; and,

(b) That the City shall pay to the Plaintiffs pre-judgment interest in accordance with the Courts of Justice Act on the sum of $22,981.69 from 1994 August 22, to the date of payment; and,

(c) That the City shall pay to the Plaintiff its Party/Party costs of this action which are related solely to the issue of the balance owing to the Plaintiff under the Contract with the City, such costs to be agreed or assessed; and,

(d) That Ontario Court (General Division) Action # 34571 be dismissed as against The Corporation of the City of Hamilton.

5. That the City Offer to Settle all outstanding issues in Ontario Court of Appeal file No. C16095 in the following terms:

(a) That the Defendant shall pay to the City $38,212.75 representing one-third of the Judgement in this matter dated 1993 June 23; and,

(b) That the Defendant shall pay to the City the sum of $9,709. representing Post-Judgement Interest on $38,212.75; and,

(c) That the Defendant shall pay to the City its Party/Party costs of the original Action in the amount of $12,078.25; and,

(d) That the Defendant shall pay to the City one-third of all BIA levies from 1993 June 23 to date, together with one-third of all outstanding interest and penalties on such BIA levies, calculated as of 1997 February 14. That the City will accept the sums of money set out in this paragraph in equal monthly instalments over a period of twenty-four months, without further interest, and that upon final completion of payments the City will issue a Satisfaction Piece to the Defendant with respect to the monetary and cost provisions of the Judgment in Ontario Court (General Division) Action No. 2353/86; and,

(e) That forthwith after the acceptance of this Offer, the Defendant's Appeal to the Court of Appeal in File No. C16095 be dismissed without costs; and,

(f) That the City use its best efforts to amend the Ottawa Street BIA By-law (By-law 86-31) pursuant to the provisions of the Municipal Act, to reduce the BIA levy with respect to the Jockey Club Tavern Ltd, and/or its successor corporation, Oakwood Place Inc., by two-thirds. Subject to the prior receipt by the City of a written undertaking from the Defendant, or its successor corporation, in a form satisfactory to the City Solicitor, that it will not take any steps to appeal such amendment to the OMB or otherwise to attempt to use the occasion of the consideration of an amending by-law to have itself removed from the Ottawa Street BIA, or to seek a levy of a lesser amount than referred to in this Offer; and,

(g) That in the event that the Defendant fails to make any monthly payment referred to in paragraph (d), in full and on schedule, the whole remaining amount due pursuant to paragraph (d) shall become payable forthwith. In that event, should the Defendant fail to make full payment of the remaining balance due within thirty days, the City shall be entitled to rely upon and enforce the full amount of the Judgment in Action 2353/86, subject only to deduction of amounts already received from the Defendant; and,

(h) That the City shall lift its Execution in Ontario Court (General Division) Action 2353/86 on 1997 February 14, to enable the Defendant to complete certain financial transactions; and,

(i) That this Offer remain open for acceptance until withdrawn or until 4:59 p.m. on the last business day prior to the day upon which the hearing of this Appeal before the Ontario Court of Appeal proceeds, whichever first occurs.

6. That a Purchase Order be issued to Emille Shoes Ltd., Burlington, for the supply and delivery of Safety Footwear as and when required during 1997 to Purchasing Stores, being the lowest of four tenders received, in accordance with specifications issued by Purchasing and be financed through the Stores Inventory Account No. CH 56103 28999, as follows:

Mens and Ladies Kaufman Winter Boots	$74.86/pair
Mens 31" Kaufman Hip Waders	$68.98/pair
Mens Rubber Commuter Boots	$33.97/pair
Mens 8" Thinsulate Kaufman Boot	$78.63/pair
Ladies 8" Thinsulate Kaufman Boot	$77.22/pair
Mens and Ladies Terra Safety Shoe	$58.48/pair
Mens and Ladies Terra 6" Boot	$65.76/pair

All taxes extra

7. That as referred to in Section 18 of the First Report for 1997 of the Transport and Environment Committee, the City Treasurer be authorized to set up a Capital account to acquire lands for highway purposes from Canada Lands Company Limited, located at Ferguson Avenue South, between Main and King Streets, at an estimated amount of $55,000. to be financed from the Reserve for Property Purchase, Account Centre No. CH 00102.

8. (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owner of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

229 Sherman Avenue South

(b) That a by-law to authorize the said Extension Agreement be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.

9. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $68,947.83 be approved and charged to CH53316-24104 Tax Remissions.

10. (a) That the amendment to the United Brotherhood of Carpenters and Joiners of America, Local 18, Collective Agreement be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton; and,

(b) That the Fair Wage Schedule be amended to reflect this change.

11. That the listing of Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1997 January 10, attached herewith and marked Appendix "A", be approved.

12. (a) That the document "Strong Medicine - A Prescription for the Heart of Hamilton-Wentworth", previously sent to all members of City Council and available from the Committee Secretary upon request, be approved as a guideline for discussion on Downtown Revitalization; and

(b) (i) That the Downtown Partnership be established by the City of Hamilton in conjunction with the Regional Municipality of Hamilton-Wentworth as the means of implementing the Strategy; and,

(ii) That the Terms of Reference, attached herewith and marked Appendix "B", for the Downtown Partnership be approved; and,

(c) That the area for downtown revitalization, defined as the Downtown Core, from Victoria Avenue to Queen Street and from Cannon Street to Hunter Street be accepted; and,

(d) That the first year operational budget for the Downtown Partnership be equally shared between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth and be included in the respective 1997 budget discussions; and,

(e) That this entity be established as "The Downtown Hamilton Partnership" pursuant to the provisions of The Municipal Act or other appropriate legislation, in a form satisfactory to the City Solicitor including the possibility of sponsoring a community economic development corporation to facilitate venture capital assistance or other community development initiatives; and,

(f) That an Interim Downtown Co-ordinator be appointed from existing staff complement of the City of Hamilton.

13. (a) That the Chairman of the Finance and Administration Committee be appointed on an interim basis as Chairman of the Downtown Partnership Board to facilitate identification of the membership of the Partnership and of the various Task Forces; and,

(b) That this resolution be referred to the Region of Hamilton-Wentworth for adoption.

14. (a) That effective 1997 January 1, Deputy Chief Gil Desjarlais be appointed Acting Fire Chief until the appointment of the City's new Fire Chief; and,

(b) That the Chief Administrative Officer be authorized and directed to take the necessary steps to post and advertise the position of Fire Chief consistent with the Selection Procedure adopted by City Council on 1982 January 26th; and,

(c) That a Staff Committee comprised of the Chief Administrative Officer, two members of the Corporate Management Team and a Fire Chief from a similarly sized municipality review all applications received and make recommendations to the Selection Committee for interviewing; and,

(d) That a Selection Committee comprised of the Mayor, Chairman of the Finance and Administration Committee, Vice Chairman of the Finance and Administration Committee and two members of the Finance and Administration Committee be formed to consider the applications for interviewing and recommend a candidate to Council.

15. (a) That the Building Commissioner's position be reclassified from its present salary level "D" to salary level "B"; and,

(b) That the General Manager of Non-Profit Housing's position be reclassified from its present salary level "J" to salary level "H".

16. (a) That in accordance with the policy approved by City Council on 1996 October 29, for properties vested with the City on tax sale, the tax arrears applicable to the following properties be written off as uncollectible:

405 Hess Street South	$ 1,917.19
87 King Street East	72,624.41
89 King Street East	200,316.58
226 1/2 Grosvenor N.	12,114.42
71 Horning	2,432.33

(b) That the City's share of the uncollectible taxes and any other additional costs be charged to the Reserve for Property Purchases, Account CH 00102; and,

(c) That the Region and the Board of Education's share of the uncollectible taxes be charged back to the Tax Write Off Account CH 24106 to recover the deficiency amount previously credited to these Bodies.

17. That the prelevy residential and non-residential mill rates for 1997 be established at figures slightly below 50% of the 1996 respective mill rates as follows:

(a) (i) That a real property tax prelevy mill rate of 210 mills be established for 1997 to be billed in two instalments of 105.0 mills each, payable 1997 February 28 and March 31. This prelevy rate represents 49.985% of the 1996 residential mill rate; and,

(ii) That a business tax prelevy mill rate of 247 mills be established for 1997 to be billed in one instalment, payable 1997 February 28. This prelevy rate represents 49.973% of the 1996 non-residential mill rate; and,

(b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1996 charge, to be billed in two equal instalments, payable 1997 February 28 and March 31.

18. That the City enter into an agreement with the Province of Ontario, as negotiated with the Province, attached herewith and marked Appendix "C", to hold the City harmless for environmental degradation on 606 Aberdeen Avenue, in the event that the tax sale to recover tax arrears is unsuccessful, resulting in the vesting of the property with the City of Hamilton.

19. That after hearing the evidence and submission of the complainant, Hanne Card, Humana House Non Profit Housing Corporation Inc, the Council of the City of Hamilton hereby waives the development charges imposed on the property located at 82-90 Stinson Street pursuant to City of Hamilton Development Charges By-law 95-176 in the amount of $2,432.76.

20. (a) That the allocation for project No. 7 in the 1995 Capital Budget described as An Automated Building Permit Tracking System be increased by $84,000 from $250,000 to $334,000; and,

(b) That approval be given to issue a purchase order to CSDC Systems, Mississauga, Ontario in the amount of $260,000 for the supply and installation of an Integrated Management and Tracking System being the lowest acceptable proposal received in accordance with specifications issued by the Purchasing Division (ref. C1-1-96); and,

(c) That the increased cost of $84,000 for the Automated Building Permit Tracking System, Account Centre No. CF 509551017 from $250,000 to $334,000 be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.; and,

(d) That the Mayor and the City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

21. (a) That the development charges imposed under Development Charges By-law 95-176 be increased by 1.7% to reflect increased construction costs; and,

(b) That Section 8(1) of By-law 95-176 be adjusted as follows:

Type of Residential Unit		Per Unit
(i)	Single detached dwelling, semi-detached dwelling, row dwelling	$1,592.05
(ii)	Two or more bedroom apartment	909.75
(iii)	Bachelor and one bedroom apartment	454.87

(c) That Section 8(2) of By-law 95-176 be adjusted as follows:

Type of Residential Unit		Per Unit
(i)	Single detached dwelling, semi-detached dwelling, row dwelling	$ 211.97
(ii)	Two or more bedroom apartment	121.12
(iii)	Bachelor and one bedroom apartment	60.56

22. (a) That approval be given to issue a purchase order in the amount of $88,917 inclusive of GST ($5,817) to Trane Inc., Hamilton District Office to supply labour and materials to perform a major overhaul on the three centrifugal refrigeration chillers located within the Central Utilities Plant, this being the only acceptable tender received in accordance with the specifications (Ref: C14-21-96) issued by the Purchasing Division; and,

(b) That this expenditure be financed from Capital Budget Account CF 319641027 Convert Air Conditioning Equipment.

23. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 000 Upper James Street (Parts 2 and 3 on Plan 62R-10945). Landlocked vacant parcel - east side of Upper James between Rymal and Stone Church; and,

(ii) 644 Barton Street East; and,

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

24. (a) That the City of Hamilton enter into a Lease Agreement with David Michael Howitt, Elizabeth Howitt, Richard Wilson and Ann Riches to lease part of the City lands at 80 Arkledun Avenue, being an irregular shaped parcel of City lands approximately 55.74 square metres (600 square feet) more or less, fronting on Arkledun Avenue, Hamilton; and,

(b) That the Lease Agreement contain the following terms and conditions:

(i) Term - Commencing 1997 April 1 and terminating 2002 March 31; and,

(ii) Rent - $300 per year plus any applicable taxes to be credited to Account No. CH 44104 31106 (Miscellaneous Rentals); and,

(iii) Use - That the Lease Agreement shall be solely for vehicle parking purposes; and,

(iv) Maintenance - The Lessee to be solely responsible for all maintenance costs associated with the subject lands; and,

(c) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

25. (a) That Council approve the 1995 Memorandum of Agreement between the City of Hamilton and the Hamilton Professional Fire Fighters Association, Local 288; and,

(b) That the term for the agreement is 1995 January 1 to 1995 December 31.

26. That City Council consent to the use of the name "Hamilton" in the proposed registering of the name "Hamilton Cultural and Ethnic Mosiac Association".

27. That the Mayor, the Chairman of the Finance and Administration Committee or his designate, and five members of City Council be authorized to attend the Diamond Jubilee Conference of the Federatiion of Canadian Municipalities to be held in Ottawa/Carleton on 1997 June 6 - 9.

28. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-1 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(b) D-2 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1997 January 21

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Gary Beasley	I	District Chief	Fire	Replacing Mr. C. Speight – retired, Nov. 30/96	$66,992.60	Dec. 01/96
Mr. Robert Bell	I	District Chief	Fire	Replacing Mr. D. Factor – promoted, Dec. 01/96	$66,992.60	Dec. 01/96
Mr. Nick Brennan	I	Lieutenant	Fire	Replacing Mr. E. Mills – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Ross Brydges	I	Captain	Fire	Replacing Mr. G. Beasley – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. Robert Caudle	I	Captain	Fire	Replacing Mr. R. Bell – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. Steve Cox	I	Lieutenant	Fire	Replacing Mr. R. Brydges – promoted, Dec. 01/96	$57,934.32	Dec. 01/96

Prepared January 10, 1997

Status –

Internal – I
External – E

Appendix "A" as referred to in Section 11 of the FIRST Report of the Finance and Administration Committee for 1997.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Dove	I	District Chief	Fire	Replacing Mr. J. Mitchell – promoted, Dec. 01/96	$66,992.60	Dec. 01/96
Mr. David Factor	I	Platoon Chief	Fire	Replacing Mr. A. Vandenakker – retired, Nov. 30/96	$72,764.50	Dec. 01/96
Mr. Tom Fehr	I	Chief Operations Engineer	Property	Replacing Mr. W. Douglas – deceased, Sept. 10/96	$47,412.56 to $55,811.08	Sept. 11/96
Mr. David Fitzpatrick	I	Lieutenant	Fire	Replacing Mr. J. Metham – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Daniel Gagliardi	I	Lieutenant	Fire	Replacing Mr. G. Talbot – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Ms. Laurene Gandin	I	Lifeguard I	Culture & Recreation	Replacing Ms. M. Reilly – promoted, Nov. 11/96	$36,922.60 to $42,511.56	Nov. 18/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Grant	I	Lieutenant	Fire	Replacing Mr. D. Downey – retired, Nov. 30/96	$57,934.32	Dec. 01/96
Mr. Jim Harvey	I	Signs & Markings Specialist	Traffic	Replacing Mr. M. Antolich – resigned, Nov. 08/96	$30,134.00 to $33,016.88	Dec. 23/96
Mr. Juris Makarewicz	I	Lieutenant	Fire	Replacing Mr. J. Martin – promoted, Dec. 01/96	$57,934.32	Dec. 01/96
Mr. John Martin	I	Captain	Fire	Replacing Mr. J. Dove – promoted, Dec. 01/96	$61,750.44	Dec. 01/96
Mr. James Mitchell	I	Platoon Chief	Fire	Replacing Mr. M. Atkinson – retired, Nov. 30/96	$72,764.50	Dec. 01/96
Mr. Mark Orr	I	Sports Groundskeeper	Public Works	Replacing Mr. B. Carey – promoted, Oct. 18/96	$36,052.64	Nov. 18/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Kenneth Phillips	I	Lieutenant	Fire	Replacing Mr. M. Caudle – promoted, Dec. 01/96	$57,934.32	Dec. 01/96
Ms. Margaret Reilly	I	Program Organizer	Culture & Recreation	Replacing Mr. S. Lelievre – deceased, Sept. 30/96	$26,922.60 to $42,511.56	Nov. 18/96
Ms. Marilyn Simpson	I	Lifeguard II	Culture & Recreation	Replacing Ms. L. Gandin – promoted, Nov. 18/96	$34,156.20 to $39,374.92	Nov. 18/96
Mr. Wayne Thibodeau	I	Rink Attendant I	Culture & Recreation	New Position Council Approved August 27, 1996	$36,780.64	Dec. 04/96
Ms. Janet Vandehaar	I	Secretary	H.E.C.F.I.	Replacing Ms. M. Howarth – deceased June 17/96	$25,061.40 to $29,260.92	Dec. 09/96

Prepared January 10, 1997

Status –

Internal – I
External – E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Garry Smith	Fire Chief	Fire	Retired	31 years	Dec. 31/96
Mr. John Whitwell	Accounting Clerk	H.E.C.F.I.	Resigned	7 years, 9 months	Nov. 29/96

Prepared January 10, 1997

Glossary of Terms

Terminated – long term disability
– discharge
– downsizing
– redundant

Resigned – personal betterment
– personal reasons

Appendix "B" as referred to
in Section 12 of the FIRST
Report of the Finance and
Administration Committee for 1997.

TERMS OF REFERENCE - DOWNTOWN PARTNERSHIP

A. MANDATE

To create a downtown community where people wish to live, work and visit.

To co-ordinate, initiate and advise on strategic actions, programs and plans which address the revitalization of the Downtown Core of Hamilton. This is an alliance of the City, Region and Private Sector.

This will be achieved through the co-ordination, development and establishment of a strategic vision and action plan for the downtown; identification and viable initiatives in the downtown; undertake, broker, promote and support public and private actions which implement the initiatives established; and liaise in activities of all levels of government, special interest groups and agencies, private interests and the public.

B. GOALS AND OBJECTIVES

1. Implement marketing programs which address the entire downtown area. Most programs have focused on individual buildings, areas or B.I.A.'s. The Partnership will allow for the development and implementation of a comprehensive marketing program for the downtown as a whole. Specific goals include:

    - the creation of advertisements and the communication of awareness of downtown events and activities at Copps Coliseum, Hamilton Place, duMaurier Theatre, Trade and Convention Centre, etc;

    - the development of a cluster marketing program and recruitment of retail \ boutique retailers, dining \ cafe establishments in the downtown core;

    - strengthening and building on existing linkages between the downtown business interests and government in the downtown;

    - the development and promotion of a clean, safe and friendly downtown;

    - a safe, accessible and "no charge \ low-cost" parking program for shopping patrons;

    - the promotion of new and existing service oriented businesses in the downtown;

- the preparation of a long term vision for the downtown community to create a broad, understandable framework with which individual's initiative can be assessed.

- the commitment to changing public perception of the downtown through increased downtown tourism activities and celebration programs.

2. Assist and encourage investment and development in the downtown through actions such as:

   - generation of public and private interests in developing and relocation projects in the downtown;

   - promotion of the downtown to those with investment interests;

   - creation, encourage and facilitate public \ private venture development initiatives;

   - creation of a clean, safe and attractive living environment;

   - encourage new residential development in the downtown; covering a wider range of housing types and income group;

   - attracting new and unique businesses into the downtown.

3. Generate new and expand existing events in the downtown with the aim of maintaining and increasing tourism, conventions and trip destinations into the downtown through actions including:

   - community economic development initiatives;

   - creation and promotion of special theme events;

   - co-ordinating the activities of special event programs of the BIA's and Jackson Square;

   - raising public awareness of downtown business and services.

4. Lobbying for special legislation and government responses to problems identified in the downtown. The Partnership can act as a "voice" for downtown by acting on behalf of all interest groups within the downtown, rather than leaving every group to address their own concerns.

5. Investigate means of financing initiatives in the downtown core through the public and private sectors, including micro-business and single entrepreneurship efforts in cooperation with the YMCA, BAC and others.

D. MEMBERSHIP

The Board would be comprised of members of:

a) the Chairman of the task forces (4)
b) Private Sector members (7)
c) Mayor and Regional Chairman as ex-officios, non-voting observers.

Total: 11

E. REPORTING STRUCTURE

The Board would meet as required to review proposals from task forces and other stakeholders, and to provide direction and monitoring of initiatives. Reporting obligations would be facilitated through the Economic Development and Planning Committee of the Region and the Finance and Administrative Committee of the City of Hamilton.

F. INITIATIVES SUGGESTED IN "STRONG MEDICINE"

Marketing Task Force

* attract key retailers
* mass market Art Gallery
* make Main Street an institutional address
* relocate Regional offices downtown
* student bus passes
* new downtown head offices
* improve downtown appearance, including expanded floral plantings and streetscaping
* attract downtown conventions and international business meetings
* develop a business "prospective" to highlighted Downtown environment opportunities.

Residential Development Task Force

* create plans for key buildings
* Hamilton Halton Home Builders Initiatives
* City Housing proposals for key properties
* plans for reviving vacant buildings
* implement Hamilton Downtown Ideas Charrette
* consider the development of neo-traditional "new" neighbourhoods adjacent to the Downtown.

Business Development \ Financial Task Force

* improve fibre optics
* property tax reform and exemptions
* "one-stop shoppping" for development issues
* meet with property owners to address issues, including "block by block" property owners' meeting
* address parking issues
* initiate strategic actions for attracting downtown investment for the ongoing operation of the Partnership
* identify and secure capital and operational funding
* with the assistance of municipal officials, engage in a targeted, aggressive recruitment effort for key retail and commercial tenants\firms.

Strategic Planning Task Force

* develop "Strong Medicine" recommendation, according to priority and opportunities
* address transportation initiatives
* develop downtown secondary plan
* work on downtown charrette recommendations
* undertake surveys, analysis, and develop future vision, directions and requirements
* comprehensive strategic document for the long term vision of the downtown community to create a broad understandable framework with which initiatives can be assessed.

NOTE: It is recognized that the task forces are not exclusive but mutually beneficial and complementary to the goals and objectives.

BOARD NOMINEES - SECTORAL

Proposed Board Nominees

* Hospitality Association
* Metro Hamilton Real Estate Board
* Financial Sector
* Arts \ Cultural Sector
* Manufacturing Sector
* Downtown Business Community (2 B.I.A.'s)
* Hamilton Housing Corporation
* Construction Sector
* Hamilton Parking Authority
* Hamilton & District Chamber of Commerce
* Transportation Sector

* Mayor of Hamilton and Regional chairman (ex-officio)

OPERATIONAL BUDGET

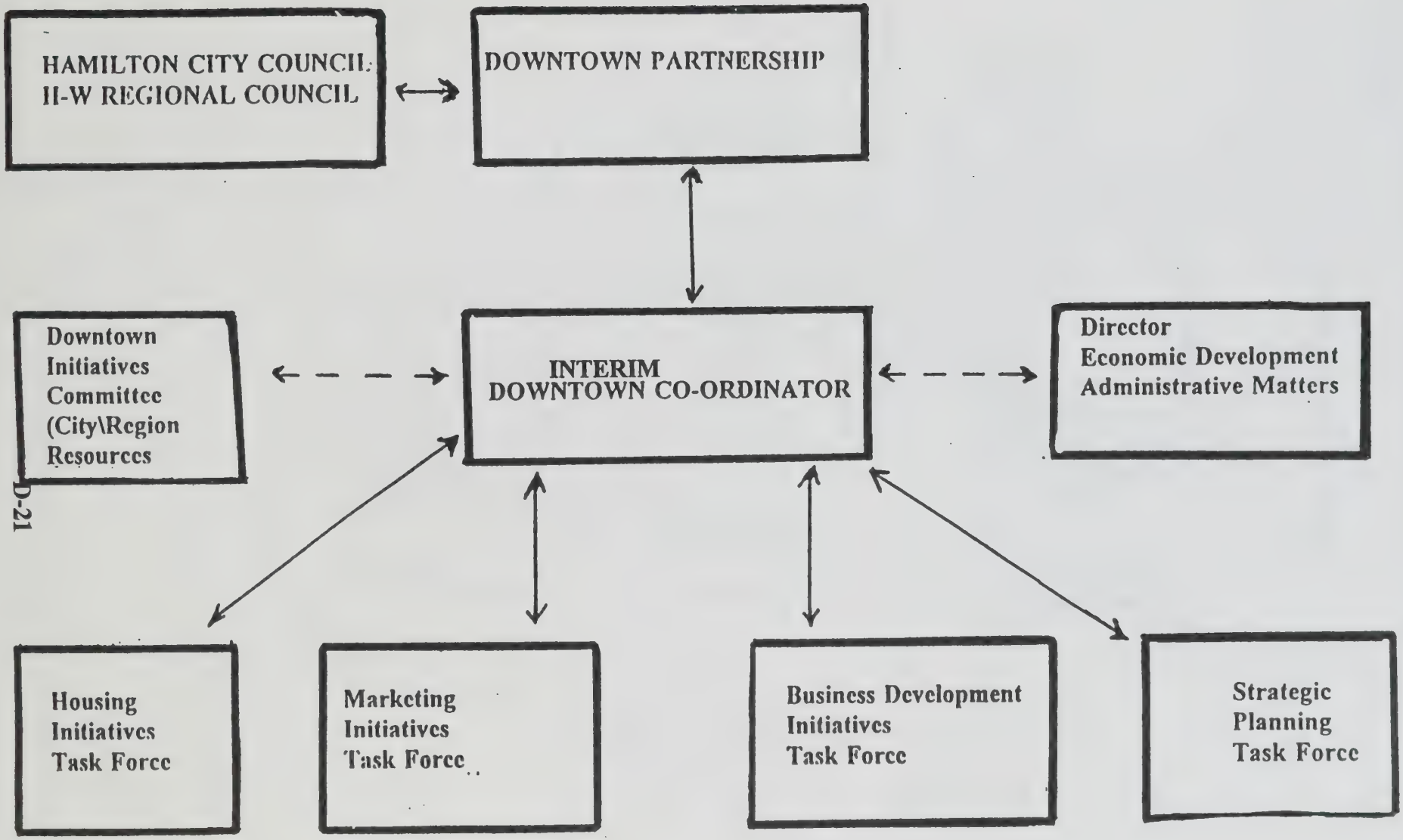
Staff

Administration \ Research	$ 25,000
Consultants	20,000
Marketing \ Promotion	75,000
Computers	6,000
Office Supplies	4,000
Proposal Preparation & Presentation	50,000
TOTAL	**$ 180,000**

	Region	$60,000	)
	City	$60,000	)
**	Business & Other Governments	$60,000	)
		$180,000	

** Private sector participation may entail in-kind services and\or products.

ORGANIZATIONAL CHART



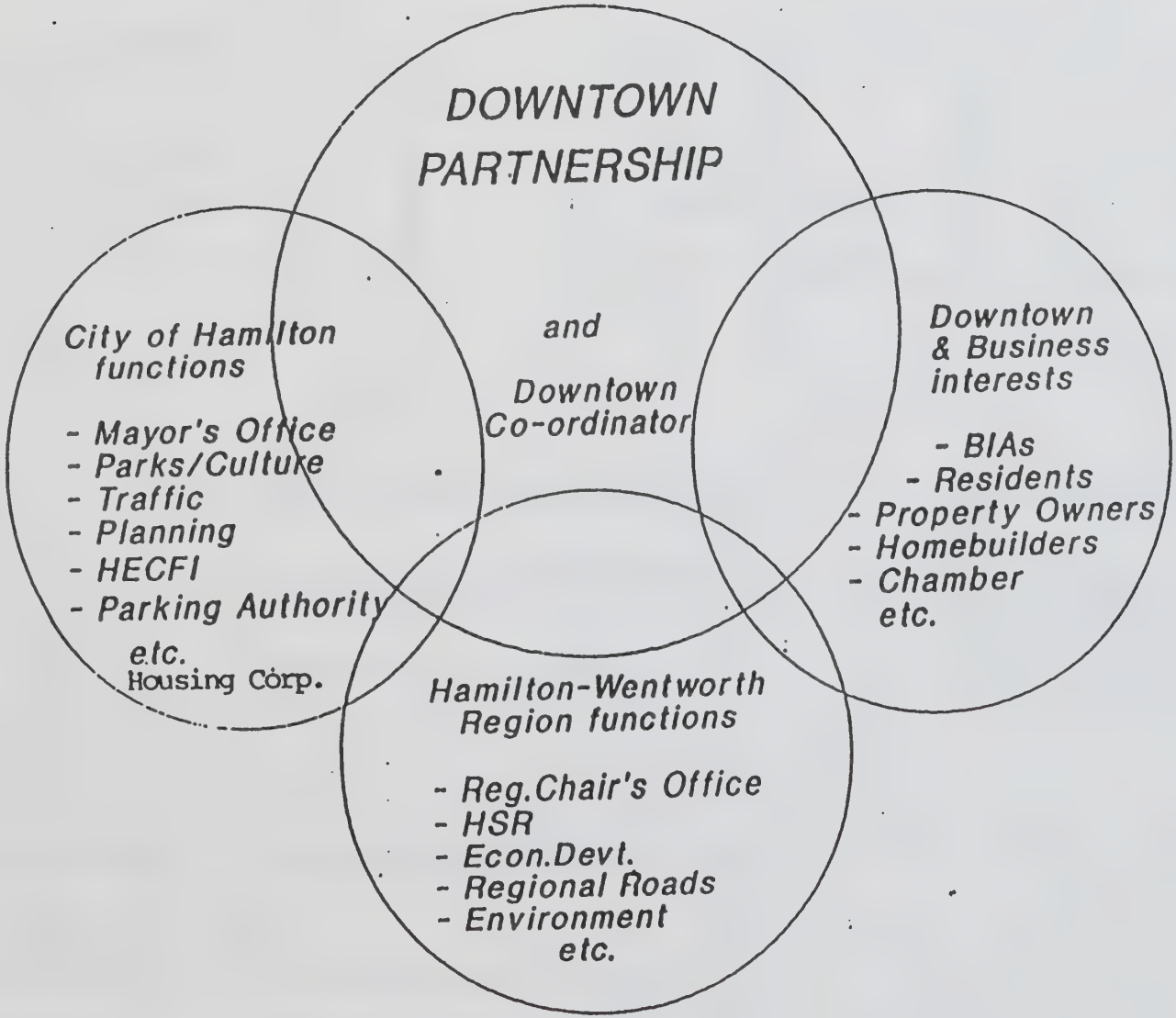
The Downtown Partnership would be composed of:

a) The Chairman of the Task forces (4)

b) Private Sector members (7)

* The Mayor and Regional Chairman as ex-officio, non-voting observers

FUNCTIONAL CHART



1997 January 28

AGREEMENT

Appendix "C" as referred to in Section 18 of the FIRST Report of the Finance and Administration Committee for 1997.

CONCERNING ENVIRONMENTAL INVESTIGATIONS AND TAX SALES

BETWEEN:

THE MINISTRY OF THE ENVIRONMENT & ENERGY

(hereinafter referred to as the "Ministry")

-and-

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as the "City")

WHEREAS Rothwell Properties Inc. is the owner of the property located at 606 Aberdeen Avenue, Hamilton, ON, L8N 3K2 which may be described as Part of Lot 20, Concession 3, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, as more particularly set out in Schedule "A" attached hereto (the "property"). The property comprises fifteen (15) acres more or less, tenanted by various commercial and heavy industrial businesses.

AND WHEREAS the City has the statutory obligation pursuant to section 391 of the Municipal Act, R.S:O. 1990, C. M.45, to levy and collect realty taxes on behalf of the City and other public sector taxing bodies including the Regional Municipality of Hamilton-Wentworth and the school boards.

AND WHEREAS the owner of the property, Rothwell Properties Inc. is in default of payments of realty taxes, arrears, penalties, interests, and costs to the City, which default began in 1991 and has continued since that time.

AND WHEREAS the Municipal Act and the Municipal Tax Sales Act provide that realty tax arrears may be collected through action, distress, rent attornment as stipulated in the Municipal Act, and/or registration and sale of property as set out in the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, as amended (hereinafter referred to as the "MTSA").

AND WHEREAS A Tax Arrears Certificate, in accordance with section 3(1) of the MTSA was registered in the Land Registry Office of Hamilton-Wentworth as Instrument No. VM217819 on September 21st, 1995 on title to the property.

AND WHEREAS pursuant to section 9 of the MTSA the City Treasurer shall advertise and sell the property should the Cancellation Price, defined by the MTSA as "an amount equal to all the tax arrears owing at any time in respect of land together with all current real property taxes owing, interest and penalties thereon and all reasonable costs incurred by the municipality...", not be paid to the City Treasurer on or before September 20th, 1996. The Cancellation Price has not been paid.

AND WHEREAS Phase I and II audits have been performed on behalf of the former Receiver-Manager, BDO Dunwoody Ltd., by Proctor and Redfern Limited in November 1990 and March 1991 respectively. Said environmental audits disclose the following environmental conditions, which may or may not be limited to:

1. exposed asbestos containing material identified on pipe and tank insulation;
2. waste water discharge contains elevated concentrations of phosphorus and fluoride;
3. existence of sludge and liquid residue in historic electroplating pits;
4. existence of heavy metals and arsenic found in girder and duct dusts;
5. shallow, low level but widespread arsenic and heavy metal soil contamination exceeding MOE Decommissioning Guidelines, as indicated by Proctor and Redfern Limited;
6. transformers on the property contain PCB concentrations of less than 50 parts per million which amounts, Proctor and Redfern Limited stipulate, do not constitute waste as defined by Ontario Regulation 11/82.

AND WHEREAS the Ministry has confirmed by letter to the City dated April 22nd, 1996 that no "Active Orders" are outstanding after a search of the Hamilton District Index Record of Active Orders under the Environmental Protection Act, Ontario Water Resources Act, and the Pesticides Act in respect of the property.

AND WHEREAS, in the context of such tax sale process, should a successful purchase of the property not occur at tax sale and/or the Cancellation Price not be tendered at tax sale, the City shall, pursuant to subsection 9(3)(b) be vested with the property, and accordingly would take possession with the intention of expedited sale of the property. Before proceeding in this manner, the City wishes to enter into an agreement (the "Agreement") with the Ministry in order to set out the terms under which such vesting and possession would take place.

AND WHEREAS at its meeting of *******, 1997, City Council authorized the said Agreement by adopting Item *** of the **** Report of the Finance and Administration Committee.

The terms and conditions of the Agreement are as follows:

1. (a) In this Agreement, unless something in the subject matter or context is inconsistent therewith, the term "City" means its officers, employees and agents and shall include any real estate agent, environmental consultant, property manager or the like retained by the City in the context of the MTSA sale process and the directors, officers, employees and agents thereof while acting on behalf of the City.

   (b) "Environmental Laws" means the Environmental Protection Act, R.S.O. 1990, E.19, and the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as these acts may be amended and in force from time to time, and any regulations, rules or guidelines issued under or in connection with such laws.

   (c) "Responsible Person" means, for the Property, the owner, occupant, person in charge, person responsible, person in possession, person having charge, management or control, or the like.

2. The City shall not be, and shall not be deemed to be, a Responsible Person under the Environmental Laws with respect to the property or any other real or personal property (including any contaminant, source of contaminant, pollutant or other hazardous or regulated substance), or be made subject to any order, directions, requirements, decisions, proceedings or the like under Environmental Law, with respect to any environmental contamination or other environmental problem, or any violation of Environmental Laws, that has already occurred, or is already in existence at the date of this agreement by reason of:

   (a) having (in its sole discretion and in its capacity as a municipality) entered upon or taken any action in its capacity as municipality with respect to the Property in order to:

      (i) conduct, complete or confirm any investigation of any kind, whether or not intrusive or in one or more stages, into the environmental or other conditions of the Property,

      (ii) preserve or protect the value of the Property, including but not limited to any steps required (a) to maintain public utility services, heat, maintenance services or security for the Property or to keep the Property insured or (b) to deal with

any immediate danger, or threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the property of any contaminant, pollutant or other hazardous or regulated substance, or

(b) collecting of rents, seizure of chattels or commencing, conducting or completing a public sale of the Property for the collection of realty tax arrears pursuant to the Municipal Tax Sales Act,

(c) taking any other actions or steps with respect to the Property to which the Ministry may agree from time to time, which agreement will not be unreasonably withheld.

3. This Agreement will enure to the benefit of and be binding upon the City and the Ministry.

4. The City represents that in the past it has not had direct management, control, ownership or possession or any similar interest in the property, other than those interests of a municipality.

5. The City shall, prior to conducting the tax sale as provided by section 9 of the MTSA, or, if vested with the property, entering into an agreement with respect to the sale of the property, make available to any prospective purchaser or tender applicant of the property a copy of all environmental reports and any other information about any material environmental problem at or relating to the property which are now or in the future in the possession or control of the City, which information shall include a copy of this agreement. For greater certainty, sale of the property shall include any transfer of possession of the property by leasing or otherwise, and any transfer of ownership of the property. In addition, it is understood that in this Agreement "purchaser" includes any tenant, licensee, or any other person to whom the property or the City's interest may be assigned or transferred.

6. The City will notify the Ministry in writing,

(a) forthwith if it becomes aware of any immediate danger, or any threat of immediate danger, to public health and safety resulting from the presence on or at, or release from or to, the Property of any contaminant, pollutant or other hazardous or regulated substance, or

(b) if it determines, by reason of any adverse environmental condition existing at or with respect to the Property, not to take any further actions or steps for the purposes described in Section 2 of this Agreement with respect to the Property. Any notice, under this clause, with respect to steps commenced under Section 2(a)(ii), will be given at least 14 days before the termination of such steps.

7. Failure to give notice under section 5 or 6 will not result in the loss of any rights or protection which the City has acquired under this Agreement with respect to the Property or otherwise.

8. When requested by the Regional Director the City will provide the Ministry with copies of any reports prepared as a result of any environmental investigation the City conducts with respect to the property and any other information that is now or in the future in its possession or under its control or capable of obtaining by reasonable efforts which will assist the Ministry in administering environmental laws with respect to Rothwell Properties Inc. and the property.

9. Nothing in this Agreement exempts the City from any duty it may have under Environmental Laws to provide any notice or make any disclosure, or from any responsibility under Environmental Laws for any discharge or spill of any contaminant, or the deposit of any waste, on the property, which is caused or aggravated directly by the City, but any such responsibility is limited to the extent of the cause or aggravation.

10. Either party may terminate this Agreement for any reason upon prior written notice to the other party. The Ministry may give notice to the City only up and until the date of the first advertisement in the local newspaper, "The Hamilton Spectator". If the Ministry gives such notice of termination, termination shall take effect upon the thirtieth (30th) day following the City's actual receipt of such notice. If the City gives the notice of termination, however, termination shall be effective immediately upon the Ministry's actual receipt of the notice, except where 14 days notice is required under Section 6(b), in which case termination shall be effective when notice has been so given. Termination will not affect any rights or protection acquired by the City under this Agreement with respect to (a) entry upon the Property in reliance on this Agreement prior to the effective date of termination or (b) any actions or steps taken or begun prior to the effective date of termination, for any of the purposes described in Section 2 of this Agreement. A fax confirmation sheet or mail or messenger service receipt will be conclusively deemed to be proof of actual receipt of notice of termination under this Agreement.

11. Notwithstanding any other provision of this Agreement, the right and protection of the City acquired under this Agreement only apply with respect to the activities of the City undertaken before the 180th day following a public sale of the property. This time period may be extended from time to time but only by notice in writing signed by the Ministry.

12. This Agreement does not affect the rights or obligations of third parties.

13. Nothing in this Agreement constitutes a commitment by the Ministry not to prosecute a person in the event that person commits and offence under the Environmental Laws.

14. This Agreement constitutes the entire agreement between the City and the Ministry with respect to the subject matter hereof. There are no prior understandings or agreements between the parties hereto with respect to the subject matter hereof. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express, implied or statutory between the City and the Ministry other than as expressly set forth in this Agreement.

15. This Agreement will be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.

16. Notwithstanding any other provision in this Agreement, the Ministry retains the authority to issue orders which have as their purpose requiring or enabling the City to implement the provisions of this Agreement.

DATED this day of January, 1997.

THE MINISTRY OF THE ENVIRONMENT & ENERGY

_____

*****, Regional Director

THE CORPORATION OF THE CITY OF HAMILTON

_____

Robert M. Morrow, Mayor

_____

J.J. Schatz, City Clerk

N:\JSL\5ENV606.AGT

REPORT OF THE BINGO HALL REVIEW COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Bingo Hall Review Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. (a) That the Relocation Application of Cameron & Johnstone Ltd. to relocate the Delta Bingo Hall from 1124 Main Street West to 43 King Street East be approved for the following reasons:

   i) The application for relocation complies with the requirements as outlined in the Provincial Criteria and Procedures for Bingo Halls,

   ii) The new site complies with the City's Zoning By-law and all other Municipal By-laws,

   iii) The relocation of the existing bingo hall will be to a renovated facility which will have separate heating, ventilation and air conditioning systems, for both non-smoking and smoking bingo patrons,

   iv) The Delta Bingo Sponsor's Association unanimously support the application for relocation,

   v) There will be no loss of charity proceeds to the affected charitable organizations inasmuch as there will be no down time (one hall will open as the other closes),

   vi) This application is for the relocation of an existing Class "A" Bingo Hall and will not increase the total number of bingo halls in the City which stands at four (4),

   vii) The relocation to the new site will not adversely affect the market area of the other existing bingo halls,

   viii) No objections have been received from businesses and residents in the immediate area; and,

(b) That, as required in the Provincial Criteria & Procedures for Bingo Halls, the City Clerk inform the applicant in writing of the decision and forward the decision to the Registrar, Gaming Control Commission, Ministry of Consumer & Commercial Relations.

Copies of the application, letters of objection and relevant information are available from the Bingo Hall Review Committee Secretary.

RESPECTFULLY SUBMITTED

ALDERMAN D. WILSON
CHAIRPERSON
BINGO HALL REVIEW COMMITTEE

Stella Glover
Secretary

1997 January 13

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the following nine Members of City Council be nominated to serve on the Hamilton Health Sciences Corporation for a one year term of office:

_____

_____

_____

_____

_____

_____

_____

_____

_____

2. That the following Member of City Council, being one of the nine Members of City Council nominated to serve on the Hamilton Health Sciences Corporation in Section 1 above, be nominated to serve on the Nominating and Governance Committee of the Hamilton Health Sciences Corporation for a one year term of office:

_____

Respectfully submitted,

Mayor R. M. Morrow, Chairman
Nominating Committee

J. J. Schatz, Secretary

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 JANUARY 28
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

BILL NO. *A-1*

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Carson	Northbound and Southbound	Landron
Landron	Westbound	Carson
Walnut	Northbound and Southbound	Forest
Ferguson	Northbound and Southbound	Forest."

3. **Schedule 23 (Hamilton Street Railway)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Inbound	Goulding, 30 feet south of San Greco (N/S)
Outbound	Harlowe, 346 feet west of Pritchard (M/B)."

6. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Emerald	East	32 feet	216 feet north of Barton	8:00 a.m. - 8:00 p.m."

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. *A-2*

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following item, namely:-

"West 32nd	Both	Elmwood to Leslie	1hr	8 a.m. - 6 p.m.	Mon - Fri."

and by deleting therefrom the following items, namely:-

"West 32nd	Both	Bendamere to Elmwood	1 hr	8 a.m. - 6 p.m.	Mon - Fri
West 32nd	East	Bendamere to 121 feet north	1 hr	8 a.m. - 6 p.m.	Mon - Fri
West 32nd	West	Bendamere to 123 feet north	1 hr	8 a.m. - 6 p.m.	Mon - Fri
Picton	Both	Bay to MacNab	1 hr	Anytime."	

2. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Daytona North leg of Delmar to the north end	East	West."

3. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Hughson	East	commencing 323 feet north of Robert and extending 24 feet northerly therefrom	Anytime
Beechwood	North	commencing 164 feet west of Lottridge and extending 20 feet westerly therefrom	Anytime
Ruth	East	commencing 89 feet south of Case and extending 21 feet southerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Balsam	West	commencing 189 feet north of Afton and extending 16 feet northerly therefrom	Anytime
Balsam	East	commencing 174 feet north of Afton and extending 19 feet northerly therefrom	Anytime
Rebecca	North	commencing at a point 84 feet west of Cathcart to a point 19 feet westerly therefrom	Anytime."

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

Bill No. A-3

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO STOP-UP, CLOSE AND SELL THAT PORTION OF UPPER HORNING ROAD FROM OMNI BOULEVARD TO UPPER HORNING ROAD, DESIGNATED AS PARTS 2, 3, 4, 5 & 6 ON PLAN 62R-14003, AND THAT PORTION OF THE ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 54 & 55, CONCESSION 3 IN THE GEOGRAPHIC TOWNSHIP OF ANCASTER DESIGNATED AS PART 1 ON PLAN 62R-14003. (R-97-01)

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 43 of the 16th Report of the Transport and Environment Committee on 1996 December 10, authorized the City to stop-up, close and sell part that portion of Upper Horning Road from Omni Boulevard to Upper Horning, and a portion of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. To stop-up, close and sell that portion of Upper Horning Road from Omni Boulevard to Upper Horning, designated as Parts 2, 3, 4, 5 & 6 on Plan 62R-14003, and that portion of the original road allowance between Lots 54 & 55, Concession 3 in the geographic Township of Ancaster designated as Part 1 on Plan 62R-14003. (R-97-01)

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

   Are hereby authorized.

2. That an offer to purchase the northerly half of Upper Horning Road described as Parts 3 & 5 be extended to Dicenzo Construction Company Limited and Sunshine Construction Incorporated.

3. That an offer to purchase the southerly half of Upper Horning Road described as Parts 2, 4 & 6 on Plan 62R-14003 and that portion of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster described as Part 1 on Plan 62R-14003 be extended to Frank Mulas Construction Limited.

(cont'd pg 2)

4. In the event that the Dicenzo Construction Company Limited does not accept the offer in Item 2 within thirty (30) days of the passing of this By-Law, that the soil and freehold of certain City Lands described as Part 3 & 4 on Plan 62R-14003 being part of Upper Horning Road be offered to Dicenzo Construction Company Limited and Sunshine Construction Incorporated for the sum of $27,495.00 in accordance with the provisions of the offer to purchase dated 1996 December 9; subject to the Highway Closing and Sale Provisions in the Registry Act and the Municipal Act.

5. In the event that Frank Mulas Construction Limited does not accept the offer in Item 3 within thirty (30) days of passing of this By-Law, that the soil and freehold of certain City Lands described as Part 1 on Plan 62R-14003 being part of the original road allowance between Lots 54 & 55 in the geographic Township of Ancaster and Parts 2, 5, & 6 on Plan 62R-14003 being part of Upper Horning Road be offered to Frank Mulas Construction Limited for the sum of $42,939.00 in accordance with the provisions of the offer to purchase dated 1996 December 10; subject to the Highway Closing & Sale Provisions in the Registry Act and the Municipal Act.

6. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-4

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND DESIGNATED AS BLOCK CX, PLAN M-89, AND PARTS 2, 5, 12, 14 & 15 ON PLAN 62R-12439 INTO CARSON DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Carson Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Carson Drive.

   All of Block CX on Plan M-89.
   Part of Block "DX" on Plan M-207 designated as Part 2 on 62R-12439.
   Part of Lot 3 Concession 6 in the geographic Township of Barton designated as Parts 5, 12, 14, & 15 on Plan 62R-12439

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-5

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 13, ON PLAN 62M-706
INTO PARIS AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Paris Avenue within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway, to form part of Paris Avenue.

   All of Block 13, on Plan 62M-706.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-6

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 10 ON PLAN 62R-12439, BLOCK 34
ON PLAN 62M-461 AND PART 1 ON PLAN 170971 L.T.
INTO KINGSBERRY STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Kingsberry Street within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Kingsberry Street.

   All of Block 34, on Plan 62M-461.
   Part of Lot 3, Concession 6 in the geographic Township of Barton designated as Part 10 on Plan 62R-12439 and Part 1 on Plan 170971 L.T.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-7

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 8 ON PLAN 62R-12349 AND
PARTS 1, 2 & 3 ON PLAN 263314 L.T.
INTO PALACE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Palace Boulevard within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Palace Boulevard.

   Part of Lot 3, Concession 8 in the geographic Township of Barton designated as Part 8 on Plan 62R-12439 and Parts 1, 2, & 3 on Plan 263314 L.T.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-8

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 3, ON PLAN 62R-10945
INTO DICENZO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Dicenzo Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Dicenzo Drive.

   Part of Lot 14 Concession 8, in the geographic Township of Barton designated as Part 3 on Plan 62R-10945.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

The Corporation of the City of Hamilton

By-law No. 97-

To Amend By-law No. 92-216

Respecting:

CONSTRUCTION OF T.B. MCQUESTON COMMUNITY PARK ON UPPER WENTWORTH

WHEREAS City Council, on March 27, 1992, approved the sale of debentures in the amount of $7,353,00.00 to finance the T. B. McQueston Park with a total project cost of $14,853,000.00;

AND WHEREAS the Ontario Municipal Board, on June 26, 1992, approved the City's Application for authority to issue debentures in the amount of $7,353,000.00;

AND WHEREAS By-law No. 92-216 was enacted on August 25, 1992 to authorize the sale of debentures in the amount of $7,353,000.00;

AND WHEREAS on July 26, 1994, By-law No. 92-216 was amended by By-law No. 94-123 to transfer $48,257.00 from the authorized debenture amount of this project to Harbourfront Park Washroom Project;

AND WHEREAS Council, on November 26, 1996, in adopting Section 10 of the 15th Report of the Parks and Recreation Committee authorized a further revision to the total debenture authority of this project and re-named the project as the T.B. McQueston Community Park on Upper Wentworth;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The Gross Cost, the Net Cost and the Debenture Authority for the T. B. McQueston Community Park on Upper Wentworth is hereby revised to $2,115,525.00.

PASSED this day of 1997.

CITY CLERK MAYOR

(1996) 15 R.P.R.C. 10, November 26

Bill No. C-01

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 86-99
As Amended by By-laws No. 92-056 and 96-195

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS By-law No. 96-195, passed on the 26th day of November 1996, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 96-195;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 7 of the 20th Report of the Planning and Development Committee at its meeting held on the 10th day of December 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Gord Culshaw	Culshaw Cakes
Mary Keir	Surplus Plus
John Gut	Textile Centre
Tony Bifano	Anton Video
Greta Munt	Greta's Flair
Rosemary Young	Wentworth Paints
Daniel Kwiatkowski	Beach Road Meats
Toby Yull	Toby's Interior Design

2. By-law No. 96-195 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 20 R.P.D.C. 7, December 10

Bill No. C- 02

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 86-73
As Amended by By-laws No. 92-058 and 95-046

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 95-046, passed on the 14th day of February 1995, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-046;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 10 of the 19th Report of the Planning and Development Committee at its meeting held on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	The Right House

A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Brocker	Royal Connaught Howard Johnson Hotel
P. Pappas	Joe Buddinski's
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing

2. By-law No. 95-046 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 19 R.P.D.C. 10, November 26

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. No. 87-308
As Amended by By-laws No. 92-079 and 95-044

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE BARTON GENERAL BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 95-044, passed on the 14th day of February 1995, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-044;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 11 of the 19th Report of the Planning and Development Committee on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

K. Cody	Codys Home Decor Inc.
M. Tollis	The Riviera Banquet Centre
J. Hilger	Ways to Wisdom
K. Jokic	Bank of Montreal

3. By-law No. 95-044 is hereby repealed in its entirety.

4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 19 R.P.D.C. 11, November 26

Bill No. C-04

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 86-212
As Amended by By-laws No. 92-057 and 95-041

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-212, passed on the 25th day of June 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 76-19, passed on the 27th day of January 1976, known as the "International Village Business Improvement Area", more particularly described in By-law No. 76-19, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-057, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for editorial amendments to By-law No. 86-212;

AND WHEREAS By-law No. 95-041, passed on the 14th day of February 1995 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-041;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 12 of the 19th Report of the Planning and Development Committee on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "B" referred to in clause 2(b) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Wolfgang Schoen	The Black Forest Inn
Gord Thompson	Thompson Jewellery and Pawn
John Kenyon	Payne Music
Paul Kircos	Alexanian Carpets

2. By-law No. 95-041 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-212, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 19 R.P.D.C. 12, November 26

Bill No. C-05

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 92-078
As Amended by By-law No. 95-043

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 92-078, passed on the 10th day of March 1992, provided for a Board of Management of the Improvement Area designated by By-law No. 90-197, passed on the 26th day of June 1990, known as the "Main West Esplanade Business Improvement Area", more particularly described in By-law No. 90-197, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 95-043, passed on the 14th day of February 1995 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-043;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 13 of the 19th Report of the Planning and Development Committee on the 26th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 92-078 is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 92-078 is repealed and the following substituted therefor:

K. Mullholland	Taco Bell
Izabela Kobylanski	Izzy's Restaurants
M. Farrugia	Calla Decor and Design
A. Perniac	Lorne Haverty Ltd.
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
M. Barnard	Barnard & Speziale Design Associates Inc.

3. By-law No. 95-043 is hereby repealed in its entirety.

4. In all other respects, By-law No. 92-078 is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 19 R.P.D.C. 13, November 26

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS BOUNDED BY CANNON STREET, QUEEN STREET, HUNTER STREET, WALNUT STREET, JACKSON STREET, FERGUSON AVENUE, MAIN STREET, WELLINGTON STREET, REBECCA STREET AND MARY STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 19th Report of the Planning and Development Committee at its meeting held on the 26th day of November 1996, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to the elimination of parking requirements for residential uses, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 22 - Restricted Areas By-laws Repealed of Zoning By-law No. 6593 is amended to include a new schedule as follows:

"Schedule "K" - Downtown Residential Parking Area"

2. Section 18A. of Zoning By-law No. 6593 is amended by adding thereto the following section:

"18A. (42) Except for residential care facilities and short term care facilities, where residential uses mentioned in paragraph 1 of Table 1 and Table 3 are located in the area shown on Schedule "K", no parking and loading will be required for residential uses established within the period between November 1, 1996 and September 1, 1999."

3. The above-captioned lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, shall be exempt from the parking and loading requirements of Section 18A. of Zoning By-law No. 6593, as amended, for a period not to exceed three years.

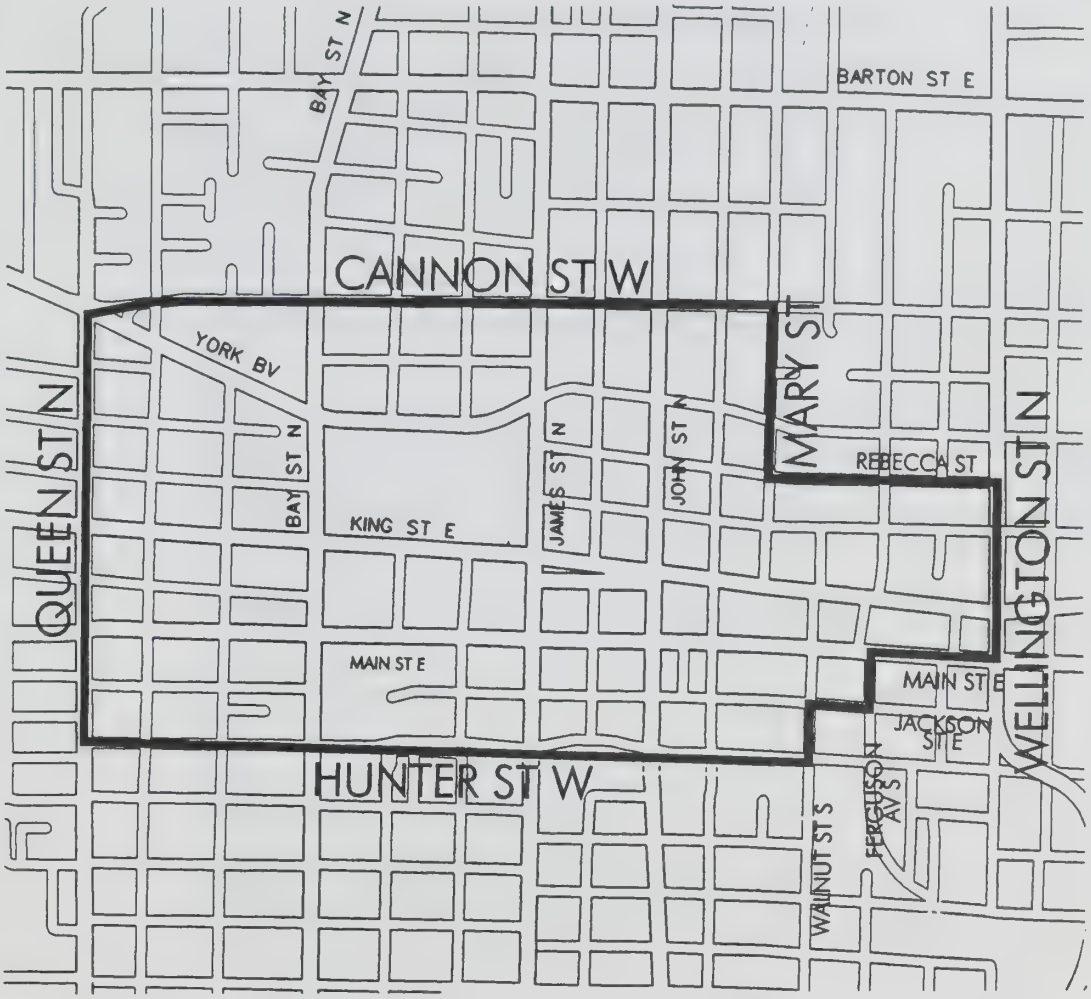
4. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 19 R.P.D.C. 2, November 26
City Initiative 96-I



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-____

to Amend By-Law No. 6593

Planning and Development Department

Legend

No Parking and loading required for Residential Development

North	Scale	Reference File No.
	NOT TO SCALE	CI 96-I
	Date	Drawn By
	January 1997	W. B.

Bill No. C-07

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 130-136 KENILWORTH AVENUE NORTH

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

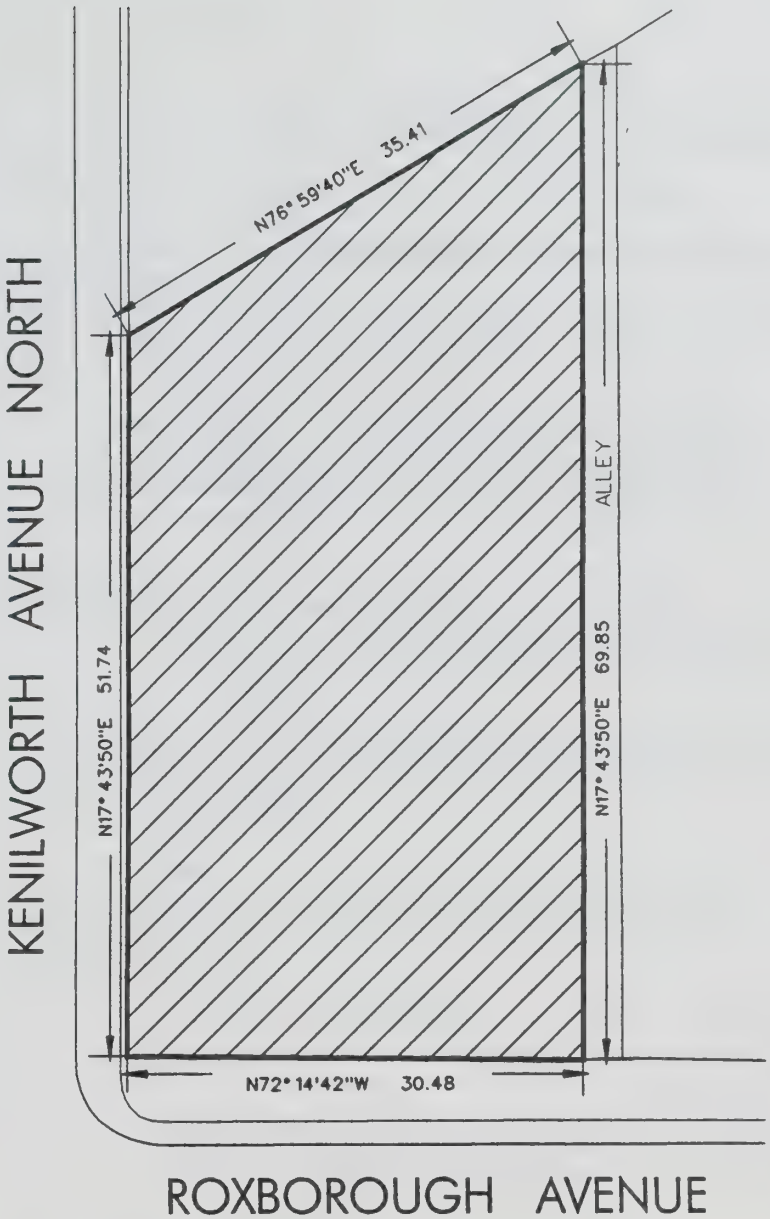
   161. Lands located at Municipal Nos. 130-136 Kenilworth Avenue North, shown on Appendix 161 hereto annexed and forming part of this by-law.

2. Appendix 161 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

(1997) 1 R.P.D.C. , January 28
DA-96-23



NOTE: All dimensions are in metres

This is Schedule "A" to By–Law No. 97–.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Appendix 161

to the By–Law No. 79–275

as Amended by By–Law No. 87–223

Planning and Development Department

Legend

Lands designated under this By–Law as an area of Site Plan Control pursuant to section 41 of the Planning Act, R. S. O. 1990.

North	Scale	Reference File No.
	NOT TO SCALE	DA–96–23
	Date	Drawn By
	January 1997	W. B.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 199 . A.D.,

CITY CLERK **MAYOR**

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	229 SHERMAN AVENUE SOUTH
	SERIAL NUMBER	03 02510 4730
	BRIEF LEGAL DESCRIPTION	PLAN 305 PART LOT 1
	DATE OF REGISTRATION	OCTOBER 24, 1996
	TAX ARREARS CERTIFICATE #	LT424365
	REDEMPTION DATE	OCTOBER 24, 1997
	TOTAL ARREARS	$7,150.16

BY-LAW NO. 97 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF JANUARY A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of January A.D. 1997

CITY CLERK MAYOR

URBAN\MUNICIPAL
CA4 ON HBL A05
A31
1997

URBAN MUNICIPAL
FEB 11 1997
GOVERNMENT DOCUMENTS

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1997 February 11
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
City Clerk

AGENDA

1. ***National Anthem.***

2. ***Opening Prayer:*** ***Father Marcos Marcos***
Coptic Orthodox Church of Hamilton

3. ***Presentations:***

   (a) *Jim Burns to present a donation of $25,000 to the Acting Chief Gil Desjarlais of the City of Hamilton Fire Department*

   (b) *Ric Robertshaw, The President of the Canadian Public Works Association to recognize Joe Pavelka and Charlie Guthro for chairing the Co-ordinating Committee for Hamilton to successfully host the 1996 CPWA Conference and Exposition.*

4. ***Adoption of the minutes of the meeting held 1997 January 28.***

5. ***Correspondence***

6. ***Reports of the Standing Committees:***

   (a) *Transport and Environment Committee*
   (c) *Planning and Development Committee*
   (d) *Finance and Administration Committee*
   (e) *Nominating Committee*
   (f) *Committee of the Whole (copy to follow)*

7. ***Notices of Motion for next meeting.***

8. ***Question Period.***

9. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1997 January 28
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * * * * * * * * * *

The National Anthem was played.

* * * * * * * * * * * * *

Reverend Tony Ouwehand, Zion United Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 December 10 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow recognized Franco Oddi, Mayor of Pettorano sul Gizio, Aquila and Salvatore DiVenezia, Italian Vice Counsul.

* * * * * * * * * *

Mayor R. Morrow presented a City of Hamilton ring to Dominic Agostino, M.P.P. who served on Hamilton City Council for the years 1988 to June, 1995.

* * * * * * * * *

Mayor R. Morrow was presented with a Silver Trowel from Mr. Hugh McNight which was used in the laying of the corner stone of the Mountain Hospital.

* * * * * * * * *

Mr. Mike Szelag of Race Canada presented to Mayor Morrow the 150th Anniversary Declaration.

* * * * * * * * *

A Certificate of Recognition was presented to the Ferguson Avenue Revitalization Project Committee. In attendance was Hal Costie, Joseph Macaluso, Jim Drake, Agostino Ammendolia, Fred Muylaert, Mary Pocius, Lou Ulbinas, Pat Bramwell, Peter Pasalic and Eric Campbell.

CORRESPONDENCE

1. Letter dated 1996 December 19 from R. C. Prowse, Regional Clerk for the Regional Municipality of Hamilton-Wentworth respecting Government Restructuring.

   Referred to the Finance and Administration Committee

2. Application dated 1997 January 3 from 822827 Ontario Inc., c/o A. DiSilvestro, 1 James Street South, Hamilton, Ontario for lands located on the north-west corner of Emperor Drive and Upper Wentworth Street, Hamilton, Ontario.

   Received

3. Application dated 1997 January 13 from Taba Developments Ltd., 1405 Upper Ottawa Street, Unit 10, Hamilton, Ontario for a change in zoning from "M-12" (Prestige Industrial) District modified to "M-11" (Prestige Industrial) District for 1423-1447 Upper Ottawa Street, Hamilton, Ontario.

   Received

4. Application dated 1997 January 15 from Vedemo Construction Limited, 155 Market Street, Hamilton, Ontario for a change in zoning from "RT-20" (Townhouse-Maisonette) District to "DE'2" (Multiple Dwellings) District for 240 Bow Valley Drive, Hamilton, Ontario.

Received

5. Application dated 1997 January 20 from Rosart Properties, 225 South Service Road East, Oakville, Ontario for a modification to the "G-1" (Designed Shopping Centre) District for 310 Limeridge Road West, Hamilton, Ontario.

Received

6. Application dated 1997 January 20 from Gus and Mike Holdings Ltd., 271 Limekiln Road, Ancaster, Ontario for removal of the "H" - Holding Provision for property at Chesley Street and Annabelle Street, Hamilton, Ontario.

Received

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Bingo Hall Review Committee, and the Nominating Committee, be considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

PARKS AND RECREATION COMMITTEE - FIRST REPORT

Section 2 Re: Conflict of Interest - International Children's Games Hamilton Inc.

Alderman T. Anderson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Anderson has a family member who is involved as a volunteer with the organization.

* * * * * * *

Section 2 Re: International Children's Games Hamilton Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIRST REPORT

Section 1 Re: City Initiative CI-96-K respecting 8-10 Brantdale Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: Alderman D'Amico. -1. **CARRIED.**

* * * * * * * * * *

Section 4 Re: 261 Cranbrook Drive - OHRPD

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 4 of the First Report for 1997 of the Planning and Development Committee be referred back.

CARRIED.

* * * * * * * * * *

Section 6 Re: Sesquicentennial Banners - BIA

It was moved by Alderman D'Amico and seconded by Alderman Drury that Section 6 of the First Report for 1997 of the Planning and Development Committee be referred back.

CARRIED.

* * * * * * * * * *

Section 10(a) & (b) Re: Street Festival Component - 1997 Barton Street Redevelopment Program

It was moved by Alderman Drury and seconded by Alderman Morelli that Sections 10 (a) and (b) of the FIRST Report of the Planning and Development Committee for 1997 be amended to reflect that the $40,000 budgets are Provincial allocations. **CARRIED.**

* * * * * * * * * *

Section 18 Re: Conflict of Interest - O.M.B. Hearing - 85 Mountain Avenue

Alderman M. Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan's property is adjacent to the subject matter.

* * * * * * * * * *

Rule No. 9 Re: Hamilton Harbour Hearing

It was moved by Alderman Charters and seconded by Alderman Wilson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a motion respecting the Hamilton Harbour Hearing. **CARRIED.**

* * * * * * *

Section 24 Re: Hamilton Harbour Hearing

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 24 of the First Report for 1997 of the Planning and Development Committee:

24. (a) That City Council authorize Mayor Morrow, Alderman Charters and Alderman Drury to attend with Counsel to the City at mediation meetings with respect to the Hamilton Harbour Hearing to be conducted by Vice Chair Owen of the Ontario Municipal Board; and,

(b) That City Council request the Hamilton Harbour Commissioners to consent to an adjournment of the Hamilton Harbour Ontario Municipal Board Hearing pending the outcome of the mediation meetings conducted by Vice Chair Owen. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FIRST REPORT

Section 15 Re: Reclassification of Building Commissioner's position

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15

NAYS: Aldermen Caplan, D'Amico -2. **CARRIED.**

* * * * * * * * * *

Section 27 Re: Diamond Jubilee Conference of the FCM - Ottawa/Carleton

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * * * * * *

Rule No. 9 Re: National Public Education Campaign "Drink Smart Canada"

It was moved by Mayor Morrow and seconded by Alderman Ross that Rule No. 9 of Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the National Public Education Campaign called "Drink Smart Canada". **CARRIED.**

* * * * * * * *

Section 29 Re: "Drink Smart Canada"

It was moved by Mayor Morrow and seconded by Alderman Ross that the following be added as Section 29 of the First Report for 1997 of the Finance and Administration Committee:

29. That the City of Hamilton support the National Public Education Campaign called "Drink Smart Canada" and its initiative of addressing the serious social problem of the misuse of alcohol." **CARRIED.**

* * * * * * * * * *

Rule No. 9 Re: Hamilton Harbour Commission - City's appointee

It was moved by Alderman Ross and seconded by Alderman D'Amico the Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a motion respecting the term of office for the City's appointee to the Hamilton Harbour Commission. **CARRIED.**

* * * * * *

Section 30 Re: Hamilton Harbour Commission

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 30 of the FIRST Report for 1997 of the Finance and Administration Committee:

30. That the Finance and Administration Committee be requested to review the relative merits of extending the current term of office of the City's appointee to the Hamilton Harbour Commission until December 1, 1997 in order that the term of this appointee is consistent with the term of office of members of City Council. **CARRIED.**

* * * * * * * * * *

Section 31 Re: Conflict of Interest - Work Place Accident - Dofasco

Alderman B. Morelli declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Morelli was a former employee of Dofasco.

* * * * * * *

Rule No. 9 - Work Place Accident - Dofasco

It was moved by Alderman Wilson and seconded by Alderman Charters that Rule No. 9 of City of Hamilton Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to consider a resolution respecting a work place accident at Dofasco.

CARRIED.

* * * * * * *

Section 31 Re: Work Place Accident - Dofasco

It was moved by Alderman Wilson and seconded by Alderman Charters that the following be added as Section 31 of the First Report of the Finance and Administration Committee:

31. That the Council of the City of Hamilton request that an inquest be held into the recent deaths of two workers in a confined space at Dofasco. That this request be made of the appropriate provincial authorities. **CARRIED.**

RESOLUTION FROM PREVIOUS FINANCE & ADMINISTRATION COMM.

Section 14 (c) Re: Part Lot Control Application 96-03 - Time Period

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 14(c) of the Eighteenth Report for 1996 of the Finance and Administration Committee approved by City Council on 1996 December 10th which reads as follows be reconsidered:

"That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049, in order that action may be taken to dispose of same:

(c) 1 Spruceside Avenue" **CARRIED.**

* * * * * * * * * *

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 14(c) of the Eighteenth Report for 1996 of the Finance and Administration Committee approved by City Council on 1996 December 10th respecting the property at 1 Spruceside Avenue be referred to the Parks and Recreation Committee. **CARRIED.**

BINGO HALL REVIEW COMMITTEE - FIRST REPORT

Section 1 Re: Relocation Application of Cameron & Johnstone Ltd. - Delta Bingo Hall from 1124 Main Street East to 43 King Street East

It was moved by Alderman Wilson and seconded by Alderman Drury that Section 1 of the First Report of the Bingo Hall Review Committee be amended to add sub-section (c) as follows:

(c) That approval be subject to design controls on the exterior of the building in order to be compatible with surrounding businesses in the downtown core.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, Ross. -15

NAYS: Aldermen Copps, D'Amico. -2. **CARRIED.**

NOMINATING COMMITTEE - FIRST REPORT

ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1997

It was moved by Alderman Caplan and seconded by Alderman Kiss that Alderman V. J. Agro be appointed Acting Mayor for the month of February, 1997. **CARRIED.**

****

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Bingo Hall Review Committee, the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 8:35 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 January 28
JJS/dg

CORRESPONDENCE

Correspondence:

1. Facsimile dated 1997 February 1 from Mr. Wayne Marston, President, The Hamilton and District Labour Council, 1130 Barton Street East respecting Bill 99 - Municipal Expenditures.

   Recommendation: Be Referred to the Finance and Administration Committee.

2. Application dated 1997 December 16 from First Place Hamilton, 350 King Street East, Suite 208 for a modification to the "CR-3" (Commercial - Residential) District for 350-360 King Street East, Hamilton, Ontario.

   Recommendation: Be Received

3. Application dated 1997 February 4 from Investonics Limited, c/o Rein Reso for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District for 100 Locke Street South.

   Recommendation: Be Received

(1)

HAMILTON AND DISTRICT LABOUR COUNCIL CLC.
1130 Barton Street East, Suite 210 Hamilton, Ontario, L8H 7P9 547-2944 Fax 547-4006
President Wayne Marston Secretary Bob Sutton

February 1, 1997

Joe Schatz
Secretary to the City Council
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Re: Resolution on the potential impact of Bill 99 on Municipal Taxes

I am writing on behalf of the Hamilton and District Labour Council to ask that the attached resolution which seeks to address the potiential impact of the Provincial Government's Bill 99 on Municipal Expenditures, be placed before the City Aldermen for their consideration at the next meeting of City Council.

Sincerely,

Wayne Marston
President

city9701.let
opeiu - 343

THE IMPACT OF BILL 99 ON MUNICIPAL EXPENDITURES

WHEREAS the Ontario government has introduced Bill 99, legislation which completely rewrites the Workers' Compensation Act;

AND WHEREAS Bill 99 limits or outlaws compensation for certain disabilities compensated under the current Act;

AND WHEREAS traditional sickness and accident insurance programs view these disabilities as work related and are not likely to take responsibility for compensating the disabled worker for them;

AND WHEREAS Bill 99 reduces inflation protection for unemployed workers with permanent disabilities by 75 per cent(workers who are not eligible to make Canada Pension Plan contributions), drastically reducing their income in their later years;

AND WHEREAS our health care system and social assistance programs will be expected to provide care and income for those workers whose work related disabilities are not recognized by the workers' compensation and private insurance systems.

THEREFORE BE IT RESOLVED that City Council of Hamilton call upon the provincial government to commission a comprehensive study to examine the impact Bill 99 will have on municipal expenditures and to do so before any changes to the workers' compensation legislation are enacted.

BE IT FURTHER RESOLVED that as part of the study the Provincial Government hold public hearings on bill 99 in the City of Hamilton in order that all of our citizens and organizations who have an interest in these important changes have an opportunity to bé heard.

BE IT FINALLY RESOLVED that the City Council of Hamilton ask that the provincial government guarantee to provide local government with the necessary funding to cover all expenses which may be downloaded to the municipality as a result of Bill 99.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 88 of the Registry Act, R.S.O. 1990, for an order to stop-up, close and sell the unopened road allowance of Dulgaren Street from the future east limit of Eaglewood Drive easterly for 62 metres; and,

   (b) That the Senior Director, Roads Department be directed to sign an affidavit setting out that no public funds have been expended on the portion of alleyway to be closed; and,

   (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City of Hamilton Law Department; and that the applicant be responsible for all fees payable in District Court; and,

   (d) That the Applicant, prepare and register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor; and,

   (e) That the Senior Director, Roads Department authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act R.S.O. 1990; and,

   Provided the Judge's Order to close the unopened road allowance is granted:

   (f) That the Senior Director, Roads Department be directed to prepare a by-law for the sale of the closed unopened road allowance to the abutting owner; and,

(g) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1990, of the City's intention to pass the By-law; and,

(h) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.

2. That a "No Parking, 11:00 a.m. to 3:00 p.m., 3rd Tuesday of each month April to November" regulation be implemented on the west side of Fairleigh Avenue North between King Street East and Wilson Street and that the City Traffic By-law No. 89-72 be amended accordingly.

3. That a "No Parking" regulation be implemented on the north side of St. Joseph's Drive commencing at a point 332 feet east of John Street South and extending to a point 30 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

4. That a "No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the south side of Coronation Avenue commencing at Parkdale Avenue South and extending to a point 88 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That the existing "No Parking" regulation on the north side of Rennie Street between Parkdale Avenue North and Woodward Avenue be revised to allow unrestricted parking on the north side from a point 54 feet east of Tate Avenue to a point 94 feet easterly therefrom; and,

(b) That a "No Stopping" regulation be implemented on the north side of Rennie Street commencing at Tate Avenue and extending to a point 54 feet easterly therefrom; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

6. That eastbound and westbound traffic on Terni Boulevard/Cadham Boulevard be required to stop for southbound traffic on Upper Gage Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

7. That the application of Karel Bozdech, owner of Bozdech Steam Baths, No. 12 Holton Avenue North, to execute a new boulevard parking agreement be approved, provided that:

   (a) the applicant discharges the existing residential boulevard parking agreement registered as Instrument No. 436170 C.D. at the property owner's expense; and

   (b) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current annual rate is $62.40 per space for the first two spaces and $33.21 per space for any additional spaces per year) plus taxes, if any, in addition to the $10 encroachment insurance charge approved by the City Council on 1984 February 14; and,

   (c) the owner pays a one-time $50 registration fee, as approved by the City Council on 1986 January 14; and,

   (d) the owner pays a one-time $219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,

   (e) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,

   (f) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,

   (g) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

8. That the existing parking meters on both sides of Robert Street between James Street North and Hughson Street North be changed from one hour to two hours in duration and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That the application of Henry and Anna Petz, owner of the five-unit apartment at No. 343 Hunter Street West, to execute a commercial boulevard parking agreement be approved, provided that:

(a) the applicant discharges the existing residential boulevard parking agreement registered as Instrument No. 34351 C.D. at the property owner's expense; and,

(b) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current annual rate is $62.40 per space for the first two spaces and $33.21 per space for any additional spaces per year) plus taxes, if any, in addition to the $10 encroachment insurance charge approved by the City Council on 1984 February 14; and,

(c) the owner pays a one-time $50 registration fee, as approved by the City Council on 1986 January 14; and,

(d) the owner pays a one-time $219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,

(e) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,

(f) the driveway approach, parking area and other structures, as approved by the Commissioner of Public Works and Traffic, be constructed and maintained at the owner's expense; and,

(g) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

10. (a) That a School Crossing Guard be assigned to the intersection of Cannon Street East and Lottridge Street during the morning and evening school crossing periods only; and,

(b) That said assignment be subject to the approval of an expansion package totalling approximately $4,000, plus administrative costs, which will be presented during the 1997 Current Budget Deliberations.

11. (a) The following City land be incorporated into the following street:

Acadia Drive	Block 53, 58 and 59	Plan 62M-743; and,

(b) That the by-law to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

(c) That the Commissioner of Transportation be authorized and directed to register the by-laws.

12. That the application of the Ministry of Environment and Energy, to maintain the encroachment of an Air Quality Station, encroaching by approximately 3m x 2.5m over the road allowance of Vansitmart Avenue, be approved, subject to the following:

That the Ministry of Environment and Energy provide proof of $2,000,000 public liability insurance, naming the City and Region as added insured parties, saving the City and Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

13. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved, provided:

(a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.

14. (a) That the submitted schedules of works be adopted for inclusion in the Modified Subdivision Agreement with the Owner for the estimated costs of services in:

City of Hamilton Land Severance Applications B-96:2 and B-96:3

City's Share, $ - NIL -, Owner's Share, $45,675.57; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement between the City and the Owner of the lands under the City of Hamilton Land Severance Applications B-96:2 and B-96:3, as well as any other related documents for this development subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the necessary deeds have been endorsed; and,

(d) That in the event that the Owner wishes to proceed prior to the endorsement of their deeds and Modified Subdivision Agreement being registered, the Owner should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

15. (a) That the City's "Flat Rate Fee" for the recovery of outstanding City of Hamilton municipal servicing costs along 0.30 metre reserves, be adjusted from the present rate of $300 per metre of property frontage and/or flankage to $330 per metre of property frontage and/or flankage for 1997; and,

(b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1997 along 0.30 metre reserves after adoption of the proposed rate in sub-section (a) above.

16. (a) That the proposed 1997 Road and Sidewalk Capital Improvement Programme in the amount of $7,371,000 attached hereto as Appendix "B", be approved; and

(b) That the Commissioner of Public Works and Traffic and the Commissioner of Transportation be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received; and,

(c) That the Commissioner of Transportation be authorized on an interim basis to proceed with the calling of tenders for projects in the Programme up to a maximum of $5,000,000 prior to the final Capital Budget approval.

17. That the Commissioner of Public Works and Traffic be directed to eliminate the requirements for boulevards on Jacqueline Boulevard, in the "Allison Estates - Phase 1" subdivision.

18. That, in order to acquire two parcels of vacant land for highway and municipal purposes to complete the extension of Elmore Drive, and in accordance with the Expropriations Act, the City Clerk be authorized and directed to undertake the following steps to commence expropriation of the said two lands, each measuring 33 feet by 100 feet and described as Parts 2 and 5, Plan 62R-11322, being rear portions of two properties known as Nos. 1472 and 1496 Upper Gage Avenue:

    (a) give Notice of the City's application to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said lands; and,

    (b) advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and,

    (c) sign and receive the said application for approval of these expropriations.

19. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

    (a) A-9 A By-law to Amend By-law No. 89-72 to Regulate Traffic

    (b) A-10 A By-law to Amend By-law No. 89-72 to Regulate Traffic

    (c) A-11 A By-law to Incorporate City Land Designated as Blocks 53, 58 and 59 on Plan 62M-743 into Acadia Drive

    (d) A-12 A By-law to Amend Local Improvement By-law No. 10605 respecting Revised Costs to the Corporation for the Installation of Local Improvements

Respectfully Submitted,

Kevin C. Christenson, Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1997 February 3

Appendix "A" as referred to in Section 13 of the Second Report of the Transport and Environment Committee for 1997

Location	Municipal Address	Owner	Type of Encroachment	First Year/Annual Fee	File Number
East Avenue North	249 East Avenue North	Feliks and Wanda Rodojewski	Landscaping measuring 13.1m x 4.571m	$128/$20	T103 50 (1271)
Augusta Street	121 Augusta Street	The Community Adolescent Network of Hamilton	Trees/shrubs onto the road allowance	$138/$20	T103 50 (1219)
Mary Street	301 Mary Street	Mary Jazvac	Veranda measuring .36m X 9.14m	$138/$20	T103 50 (1267)
Bay Street	260 Bay Street North	Marco and Horacio Duarte	Concrete steps measuring 0.146m X 0.91m	$138/$20	T103 50 (1249)
Bay Street and Strachan Street	325 Bay Street North	Rod Stiles	portion of building measuring 14m x 0.5m on Bay St and 6.5m x 2m on Strachan St	$138/$20	T103 50 (1288)

Appendix "B" as referred to in Section 16 of the Second Report of the Transport and Environment Committee for 1997

CITY OF HAMILTON
1997 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. Roads and Abutting Sidewalks

STREET	FROM	TO	COMMENTS	ESTIMATE
Adair Avenue N & S	Queenston	Roxborough	-road resurface-sidewalk reconstruction -both sides -in conjunction with Regional sewer work	$112,000
Argyle Avenue	Norman Carlisle	Frederick Agnes	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	$221,000
Bromley Road	Seven Oaks	Holt	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	$253,000
Cheryl Avenue	Upper Sherman	East 34th	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	$230,000
Cumberland Avenue	Sanford	Wentworth	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	$153,000
Dalewood Avenue	Main	King	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	$222,000
East 14th Street	Brucedale	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	$157,000

STREET	FROM	TO	COMMENTS	ESTIMATE
East 17th Street	Fennell	Vickers	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	$319,000
East 37th Street	Crockett	Concession	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	$143,000
Emerson Street	Main	Whitney	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	$654,000
King William Street	Catharine	Victoria	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watemain work	$523,000
Rutherford Avenue	Sanford	Wentworth	-road reconstruction-sidewalk and curb reconstruction -in conjunction with Regional sewer work	$179,000
Selkirk Avenue	Main	Normanhurst	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work	$408,000
Stinson Street	Victoria	Wellington	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	$172,000
Toby Crescent	Broker	Upper Kenilworth	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	$650,000

STREET	FROM	TO	COMMENTS	ESTIMATE
West 31st Street	Scenic	Sanatorium	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	$644,000
		TOTAL SECTION A		$5,040,000

B. Sidewalks Only

STREET	FROM	TO	COMMENTS	ESTIMATE
Glengrove Street	Reid	Armstrong	-reconstruction-both sides -in conjunction with Regional watermain work	$ 55,000
Rainbow Drive	Secord	Nash	-reconstruction and repair-both sides -in conjunction with Regional watermain work	$264,000
Sunrise Drive	Heather	Orphir	-reconstruction and repair-both sides	$188,000
		TOTAL SECTION B		$507,000

C. Miscellaneous

DESCRIPTION	ESTIMATE
Catch basin and drain connections in conjunction with Regional sewer projects	$ 10,000
Pavement Management System - annual update	$ 40,000
Provision for sidewalk reconstruction/repairs in conjunction with Regional road projects	$ 50,000
Streetlighting - various locations	$ 450,000
Hot-in-place asphalt recycling - various locations	$1,200,000
Tree planting in conjunction with reconstruction projects	$ 74,000
TOTAL SECTION C	$1,824,000
GRAND TOTAL	$7,371,000

D. Supplementary List - Streets may be done in the order listed if residual funds are available

STREET	FROM	TO	COMMENTS	ESTIMATE
Ferguson Avenue North	King	King William	-road reconstruction-sidewalk reconstruction-both sides	$300,000
Fernwood Crescent	Tenth	Ninth	-road reconstruction-sidewalk reconstruction-both sides	$140,000
West 32nd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	$100,000
West 33rd Street	Scenic	Sanatorium	-sidewalk reconstruction and repair -both sides	$100,000
Franklin Avenue	Longwood	Parkview	-road reconstruction-sidewalk and curb reconstruction	$219,000
East 22nd Street	Fennell	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work	$325,000
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides	$421,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk repairs -both sides -in conjunction with Regional watermain work	$448,000
East 38th Street	Mohawk	Macassa	-road reconstruction-sidewalk reconstruction-both sides	$452,000
Wise Crescent	Grenadier	Grenadier	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work	$463,000
		TOTAL SECTION D		$2,968,000

97 01 15

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. That the City of Hamilton through the Building Department Housing and Loans Division, without prejudice, reimburse Mr. and Mrs. Mohammed of 261 Cranbrook Drive in the amount of $2,875 which was payable through the former OHRPD programme plus $200 for adjustments to the existing building modifications for a total of $3,075 , and that the payment be subject to the Mohammed's signing a letter of release regarding the outstanding legal action.

2. (a) That approval be given to City Initiative 91-I, to regulate mobile signs on private property in accordance with Section 21 Municipal Act, and that the By-law attached as Appendix "A" be forwarded to Council for approval; and,

   (b) That the by-law be monitored for a six month period with a staff report to be brought back to the Committee at that time; and,

   (c) That a staff report be brought back to the Committee in three months regarding actual recovery costs for the implementation and enforcement of the bylaw as well as a review of permit fees for businesses and licensing for operators.

3. (a) That the Public Works and Traffic Department be authorized to give to each Business Improvement Area in the City of Hamilton and the Sesquicentennial Celebrations Inc., 5 sesquicentennial banners free of charge ; and,

   (b) That the remaining sesquicentennial banners be sold at a cost of $25 each , inclusive of G.S.T. ; and,

   (c) That the revenue derived through the selling of the banners be credited to the account utilized to purchase same (Account Number CF 5698 428705099 - the Commercial Improvement Program).

4. (a) That approval be given to Zoning Application ZAC-96-12, 583783 Ontario Inc. (D. and F. Steller), owners, requesting a modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations (Block "1"), and a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations (Block "2") to permit the expansion of the existing residential care facility for seniors from 58 to 77 residents, for property at 10 Herkimer Street and 9 and 11 Charlton Avenue West, as shown on the attached map marked as APPENDIX "B", on the following basis:

(i) That By-law Nos. 83-217 and 89-276, applicable to Block "2", be repealed;

(ii) The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No. 6593 applicable to Blocks "1" and "2", be further modified to include the following variances as special requirements:

(1) That notwithstanding Subsections 11A (1)(i) and 11(1)(iiib) of By-law No. 6593, the following RESIDENTIAL USE shall be permitted:

(a) a residential care facility for the accommodation of not more than 77 residents, provided that said residents shall not be less than 60 years of age;

(2) That notwithstanding Section 11A(3)(ii)(b) of By-law No. 6593, there shall be provided and maintained:

(a) along the westerly lot line of Block "2", a side yard of not less than 1.26 m in width;

(b) along the northerly lot line of Block "2", a side yard of not less than 4.5 m in width;

(c) along the westerly lot line of Block "1", a side yard of not less than 3.05 m in width;

(d) along the northerly lot line of Block "1", a front yard of not less than 3.05 m in depth; and,

(e) along the easterly lot lines of Blocks "1" and "2", a side yard of not less than 2.52 m in width;

(3) That Section 11A(7) of By-law No. 6593 shall not apply;

(4) Notwithstanding Section 18A(9) and (10), a portion of the required manoeuvring space for the parking on Block "1" shall be provided on No. 15 Charlton Avenue West;

(5) That notwithstanding Section 18A of By-law No. 6593, not less than ten (10) off-street parking spaces shall be provided and maintained on the site;

(iii) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S-832b and that the subject lands on the Zoning District Maps W5 and W6 be notated S-832b;

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W5 and W6 for presentation to City Council;

(v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(vi) That the Durand Neighbourhood Plan be amended by redesignating Block "1" from "Commercial and Apartments" to "Medium Density Apartments".

(b) That the amending by-law not be forwarded to Council until such time as the applicant submits a servicing study, including capacity calculations, outlining details regarding the demand the proposed development will place on the existing sewers, and provide verification that this demand will be adequately accommodated by the system to the satisfaction of the Manager of Development of the Regional Environment Department.

5. (a) That Schedule "B" of By-law No. 96-190, appointing the Westdale Village B.I.A. Board of Management be repealed and the following substituted:

SCHEDULE "B"

D. Upsdell	Westdale Jewellers Ltd.
S. Snider	The Picture Frame
M.B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoes Ltd.
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
C. Gerrie	Journey to the East
K. Patterson	Oddities II
D. Thorne	Truth
B. Davison	Design House Inc.
J. Mouskos	New Village Restaurant

(b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 96-190 pursuant to (a) above.

6. That the City of Hamilton's Public Works and Traffic Department, in conjunction with The Keep Hamilton Clean Committee, hold The Ninth Annual Public Service Announcement Competition through Mohawk College Media Studies Program and CHCH-TV at a total estimated cost of $2,500.

7. That the Building Commissioner be authorized to issue a demolition permit for 1232 Upper Gage Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

8. That a loan under the Downtown Convert/Renovate-to-Rent Loan Program in the amount of forty-eight thousand dollars ($48,000) to Elia and Antonio DaSilva, carrying on business as 452031 Ontario Inc., for conversion of 120 John Street North into 16 residential units be approved, subject to the following:

(a) Fulfilment of the borrowing requirements of the Downtown Convert/Renovate-to-Rent Loan Program; and,

(b) Approval by the Ministry of Municipal Affairs and Housing of the Downtown Community Improvement Plan.

9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

   (a) C-10 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located South of Kordun Street and West of Upper Paradise Road.

   (b) C-11 A By-law to regulate the Size, Use, Location and Maintenance of Mobile Signs on Private Property within the City of Hamilton.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1997 February 5

Appendix "A" referred to in Section 2 of the SECOND Report of the Planning and Development Committee for 1997

Bill No. C-

The Corporation of the City of Hamilton

BY-LAW NO. 97-

A BY-LAW TO REGULATE THE SIZE, USE, LOCATION AND MAINTENANCE OF MOBILE SIGNS ON PRIVATE PROPERTY WITHIN THE CITY OF HAMILTON

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof,

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic,

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape,

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes,

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law,

NOW THEREFORE the Council for The Corporation of the City of Hamilton ENACTS as follows:

ADMINISTRATION AND GENERAL PROVISIONS

Definitions

1. In this By-law,

(a) "agent" means a person designated by another person to act on his behalf;
(b) "applicant" means a person applying for a mobile sign permit under this By-law;
(c) "business" means any one activity, dealing, occupation or trade of either a commercial, industrial or professional endeavour as carried out or engaged in, at an establishment;

(d) "Chief Building Official" means the person appointed by the Council as the Chief Building Official for the City of Hamilton and includes his designate;

(e) "City" means the City of Hamilton in the Regional Municipality of Hamilton-Wentworth;

(f) "commercial district" means property that is zoned commercial as defined under City of Hamilton Zoning By-law 6593 as amended;

(g) "commercial or industrial complex" includes a shopping centre, shopping mall, shopping plaza, strip plaza, mall or place and is a group of three or more commercial uses excluding professional and administrative offices;

(h) "Corporation" means The Corporation of the City of Hamilton;

(i) "Council" means the Council for The Corporation of the City of Hamilton;

(j) "daylight triangle" means an area of a corner lot which is determined after the side lot line adjacent to the street and the street lot line have been extended to their point of intersection and by measuring from the point of intersection of the two lot lines a distance of 9.0m, along each lot line and joining such points with a straight line. The triangularly-shaped land between the point of intersection of such lot lines and the straight line joining the points at the designated distance along each such lot line shall be known as the "daylight triangle";

(k) "downtown core" means the area shown on Schedule "A" of this By-law;

(l) "electronic variable message centre (EVMC)" means an illuminated sign or part thereof which is computer controlled and which displays information to the public or attracts attention to the message by way of a pre-arranged or variable sequence of electronically generated letters, words, light patterns or shapes;

(m) "erect" includes the placing of, arranging for the placing of, the renting of, or the leasing of;

(n) "flashing mobile sign" means a mobile sign equipped with an intermittent or flashing light source;

(o) "street lot line" means the line that divides a lot from a street, but not a lane or alleyway;

(p) "grade" means the average level or elevation of the finished surface of the ground adjoining a building at all of the exterior walls or the mobile sign structure at the point of contact with the ground but shall not include any artificial embankment or planter box;

(q) "hiatus period" means a time period equal to fifteen (15) days. A hiatus period shall follow the placement of each and every mobile sign on a property in accordance with this by-law;

(r) "illumination" means lighting of the sign, in whole or in part by artificial means. Internal illumination means lighting the sign face with a light source located within the sign; external illumination means having a light source exterior to the sign and on, or directed at the sign, and flashing illumination means illumination that varies and is perceived to vary in intensity or design

at periodic intervals;

(s) "industrial district" means property that is zoned industrial and defined under City of Hamilton Zoning By-law 6593 as amended;

(t) "message board" means that part of a sign on which the copy, characters, symbols or letters used to create the sign message are displayed, and "display surface" shall have a similar meaning;

(u) "mobile sign" means a sign mounted on a trailer or other free standing structure which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is the transportation of people, goods or other materials;

(v) "mobile sign permit" means a mobile sign permit issued by the Chief Building Official or his designate pursuant to the provisions of this By-law for the legal display of a mobile sign;

(w) "motorized vehicle" means an automobile, truck, motorcycle or similar self-propelled means of transport but does not include a trailer;

(x) "multiple address location" means a location where two or more municipal addresses are contained in the same commercial or industrial complex or place;

(y) "permit holder" means a person who holds a valid mobile sign permit issued under this By-law;

(z) "person" means an individual, firm, corporation, association, business or partnership and includes an owner and lessee of a property;

(aa) "premises" means specific property, and includes all buildings and accessory structures thereon;

(bb) "property" means and refers to the location where a sign is to be positioned for display, or is displayed, or can be a reference to a specific street address of a business and includes a multiple address location;

(cc) "Regional Council" means the Council for The Regional Municipality of Hamilton-Wentworth;

(dd) "sign" means any medium or device including its structure and other component parts which is used or capable of being used to attract attention to a specific matter other than itself, for identification, information, business promotion or advertising purposes;

(ee) "sign area" means the number of square metres on the surface of a sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the sign;

(ff) "sign height" means the vertical distance measured from the proposed or finished grade immediately below the sign to the highest extremity of the sign including the border or frame; and,

(gg) "unsafe sign" means a sign which is either structurally unsafe, or which constitutes a fire or safety hazard, or impedes the movement of vehicular or pedestrian traffic, or which would otherwise constitute a risk to the safety of persons or premises.

Administration

2. The Chief Building Official or his designate shall:
   (a) receive and process all applications for mobile sign permits required under this By-law;
   (b) administer the issuance of mobile sign permits in accordance with provisions of this By-law;
   (c) maintain and keep records of all applications received for mobile sign permits and records of all mobile sign permits issued;
   (d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

Mobile Sign Permits

3. No person or his agent shall erect, display or otherwise use a mobile sign, without first obtaining a mobile sign permit as provided by this By-law.

4. A person or his agent, may obtain a mobile sign permit if:
   (a) he completes an application form provided by the Chief Building Official or his designate;
   (b) he files, as may be required by the Chief Building Official, in duplicate, a sketch of sufficient detail and quality as is necessary to ascertain whether or not the mobile sign will be in compliance with this By-law with accurate measurements of distances showing the intended location of the mobile sign and from that location the:
      (i) distance to the nearest street lot line;
      (ii) distance to the nearest edge of pavement of the nearest roadway;
      (iii) distance to the nearest edge of pavement at the intersection of two or more streets;
      (iv) distance to the nearest edge of the nearest mobile sign;
      (v) distance to the nearest edge of a building;
      (vi) distance to the nearest residential property; and
   (c) he files, as may be required by the Chief Building Official, measurements of the size of the mobile sign and it's supporting framework.

5. The number of days that a mobile sign is erected or displayed, shall be determined from the date and including the day of permit issuance, or date of erection if the mobile sign was erected prior to permit issuance.

6. The Chief Building Official or his designate may require a person, or his agent to provide proof of interest either as a lessee, renter, tenant or owner of the property on which the mobile sign is to be located, and/or a legal survey of the property on which the mobile sign is located or is intended to be located.

7. At any one property a maximum of two (2) mobile signs may be erected at any one time provided that there is a minimum distance of 30 meters between each mobile sign on the same property in accordance with Section 8.

8. No mobile sign permit shall be issued for a property at a municipal address or location where a hiatus period has not transpired.

9. No person shall make application for a mobile sign permit who is not the owner, or the authorized agent of the owner of the property on which the mobile sign is to be placed.

10. No person, or his agent shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a mobile sign permit, or revision thereto.

11. No person, or his agent shall apply for or receive mobile sign permits which total more than 360 days for any property within any one (1) calendar year in accordance with sections 7 and 8 above.

12. Applications will be processed in order of date and time received but no permit will be issued for a property which already has a mobile sign permit and until that mobile sign permit and hiatus period have expired.

13. A person or his agent or a permit holder may erect, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign where the sign is not in the "downtown core" (as defined on Schedule "A" to this By-law) and:
    (a) is located on property which is zoned as:
        (i) a "commercial district" including:
            1. the "G" Districts including "G", "G-1", "G-2" and "G-4" [except "G-3" (Public Parking Lot) District]; and
            2. the "H" and "HH" Districts; or
        (ii) an "industrial district" including:
            1. the "J" and "JJ" Districts;
            2. the "K" and "KK" Districts; and
            3. the "M" Districts, including "M-11", "M-12", "M-13", "M-14", and "M-15";
    (b) notwithstanding (a) above, is located in a City owned park and is being used in conjunction with a City of Hamilton or Regional Council approved special event;

(c) is in good repair and has not become unsafe, unsightly or dangerous;
(d) is situated at grade;
(e) where it is electrically illuminated, has Ontario Hydro safety code approval;
(f) where it is utilizing electrical power, uses only an electrical cord that has C.S.A. approval;
(g) is located on private property and is not located on a road allowance;
(h) where it is located within 100 feet (30.5 metres) of a residential zone, is equipped with a timer to turn off the light source in order to eliminate any annoyance to persons in the adjoining residential zones between the hours of 10:00 P.M. and 8:00 A.M.;
(i) has the name and telephone number of the owner of the mobile sign affixed to the mobile sign at a clearly visible location;
(j) has not greater than $5.6m^2$ of sign area per face with no one dimension greater than 2.4m; and
(k) has a sign height that does not exceed 2.4m.

14. No person, or his agent or permit holder, shall erect, permit to be erected, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign on lands or buildings owned, rented, leased or occupied by them:
(a) for more than 60 consecutive days;
(b) for more than 180 calendar days per year;
(c) on a property where a previous mobile sign permit has expired and no further permits are available in accordance with subsections (a) and (b) above;
(d) the content of which would indicate a contravention of any zoning or other by-law, Act or regulation enforceable in the municipality;
(e) contrary to the approved location on a sketch, and contrary to information on the application, in respect of which the mobile sign permit was issued;
(f) so as to obstruct openings required for light and ventilation, any required means of egress or required access for fire fighting;
(g) at any location where the sign obstructs the sightlines and view or any unimpeded mobility of any pedestrian or driver of a motor vehicle or obstructs the visibility of any traffic sign or device;
(h) which obstructs or otherwise interferes with an exit door or fire escape, fire exit route, fire hydrant, or yard hydrant so as to prevent or impede the free access of emergency vehicles and personnel to emergency equipment or to any part of a building requiring such access;
(i) which obstructs or otherwise impedes the parking of a motor vehicle or is situated in a required parking or manoeuvring area;
(j) with electrical wiring in the path of vehicular or pedestrian traffic;
(k) which has flashing or moving lights;
(l) which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion;

(m) which in whole, or in part is an electronic variable message centre;
(n) which emits illumination resembling an emergency light or traffic regulating device;
(o) prior to the issue date set out in the mobile sign permit;
(p) which would be an unsafe sign;
(q) within 50 feet (15 metres) of the closest edge of the nearest mobile sign;
(r) within 30 feet (9 metres) of the intersection of two streets;
(s) within 50 feet (15 metres) of a residential district;
(t) where the setback from property lines to the mobile sign is less than 1.5 metres;
(u) where the mobile sign is elevated on any temporary or permanent object which is being used as the base for a mobile sign or part of a mobile sign structure;
(v) where the property is zoned anything other than that indicated in section 13;
(w) where the property on which the mobile sign is located is zoned "residential";
(x) where the property on which the mobile sign is situated is located, in the downtown core as shown on Schedule "A" of this By-law;
(y) where two mobile sign permits have already been issued for the property and have not expired;
(z) where a hiatus period has not expired;
(aa) where the mobile sign would not comply with this or any other by-law;
(bb) which has more than two sign faces or any one sign face which exceeds 5.6m^2 in area or has any one dimension that is greater than 2.4m;
(cc) which has a maximum height measured from grade greater than 2.4m; and

15. A person or his agent shall place the mobile sign at the municipal address of the person named on the application.

16. The permit fee as set out in Schedule "B" shall be submitted with each application for a mobile sign permit.

17. The permit fee as set out in Schedule "B" does not apply to an application for a Council or Regional Council approved special event.

REVOCATION OF A PERMIT

18. A mobile sign permit may be revoked by the Chief Building Official or his designate under the following circumstances:
(a) where the mobile sign does not conform to this By-law and amendments thereto;
(b) where the mobile sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;

(c) where the mobile sign permit has been issued as the result of false, incorrect or misleading statements;
(d) where the mobile sign permit has been issued in error by the Chief Building Official or his designate.

(d) where the mobile sign permit has been issued in error by the Chief Building Official or his designate.

VARIANCES

19. (a) Where the applicant or person in control of a sign for any reason is unable to comply with the provisions and regulations under this by-law, such person may apply to the Council for a minor variance from the provisions and regulations of this by-law.

The Council shall hear all such applications and may authorize minor variances from the provisions and regulations of this by-law.

(b) All applications for a minor variance shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of three hundred dollars ($300.00). The variance fee shall not be refundable.

PENALTIES AND ENFORCEMENT

Removal of Illegal Mobile Signs

20. (a) When a mobile sign is erected or displayed in contravention of the provisions of this By-law, the mobile sign shall be removed immediately without notice, where located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City of Hamilton;

(b) Where a mobile sign is located on property other than property owned by or under the jurisdiction of the City of Hamilton, the Chief Building Official or his designate may forward a notice, by personal service or regular post, to the Lessee or owner of the sign, or their agents, or to the person or agent having the use or major benefit of the mobile sign, requiring that the mobile sign be permanently removed within the time specified in the Notice and thereafter not replaced with any mobile sign in contravention of this By-law;

(c) If the Notice is not complied with the Chief Building Official or his designate may require that the municipality, its employees, or an independent contractor enter upon the land and remove such mobile sign. The owner of the land upon which the mobile sign was located shall pay for any costs or expenses of the City. Such costs or expenses may be recovered in like manner as municipal taxes under the provisions of Section 326 of the Municipal Act, R.S.O. 1990, c.M.45 as amended from time to time;

(d) where a mobile sign is deemed by the Chief Building Official or his designate to be in such a condition or location that it is or may be a hazard to the public, the Chief Building Official or his designate may either serve written notice to the owner or tenant of the property on which, or in front of which such mobile sign is located, to remove such mobile sign or make the same safe, or without giving notice to the owner or tenant of the property on which such mobile sign is located, cause such mobile sign or structure to be removed;

(e) any sign removed pursuant to this Section may be deposited on the property on which or in front of which it was located or removed;

(f) mobile signs removed shall be stored by the City for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such mobile sign upon the payment to the City of a one hundred dollar ($100.00) fee in addition to any applicable costs or expenses referred to in subsection (c) above;

(g) where a mobile sign has been removed by the City and stored for a period of 30 days and has not been redeemed, such mobile sign shall be forthwith destroyed or otherwise disposed of by the City.

Penalty for Non-Compliance

21. (a) Any person who, on his own or by his agent, contravenes any of the provisions of this By-law is guilty of an offence and liable upon conviction under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time to a fine of not more than five thousand dollars ($5,000.00), exclusive of costs, for each offence. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and may be punishable as such thereunder. Such fine shall be recoverable under the Provincial Offences Act.

(b) Where a person has been convicted of an offense under this By-law the Court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offense or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offense.

(c) Neither the granting of a permit nor the approval of the drawings and specifications, nor inspection made by the authority having jurisdiction during the erection of a sign shall, in any way, relieve the owner of such sign, tenant or the owner of property on which the sign is located, from full responsibility for carrying out the work in accordance with the provisions of this By-law.

Liability

22. Any persons erecting or maintaining any mobile sign or on whose property a mobile sign is located, shall be liable for such mobile sign. The municipality is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the erection, maintenance, removal or falling of such mobile sign or part thereof.

Notice

23. Any notice required to be given under this By-law is sufficiently given if delivered personally or sent by regular mail addressed to the person making application for permit to erect a mobile sign, or where such sign is existing, by ordinary mail to the owner or tenant, according to the last revised Assessment Roll of the municipality, of the property on which, or in front of which, the sign is located, or at the last address for delivery appearing on the records of the Chief Building Official or his designate.

Schedules

24. All schedules referred to in this By-law and attached to this By-law shall be deemed to be a part of the By-law.

Applicability

25. This By-law shall be applicable to all lands within the corporate limits of the City of Hamilton.

Validity

26. If a court of competent jurisdiction declares any provisions or part of a provision, of this By-law to be invalid or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

Meaning

27. For the purpose of this By-law, where the words "his" or "he" is used they shall also mean or stand for the words "her" "she" and "it" in the case of a corporation.

Short Title

28. This By-law shall be known as the Mobile Sign By-law.

Effective Date

29. Except for section 16, which shall come into force and take effect on the 12th day of May 1997, this By-law shall come into force and take effect on the 12th day of February, 1997.

PASSED this 11th day of February, A.D. 1997

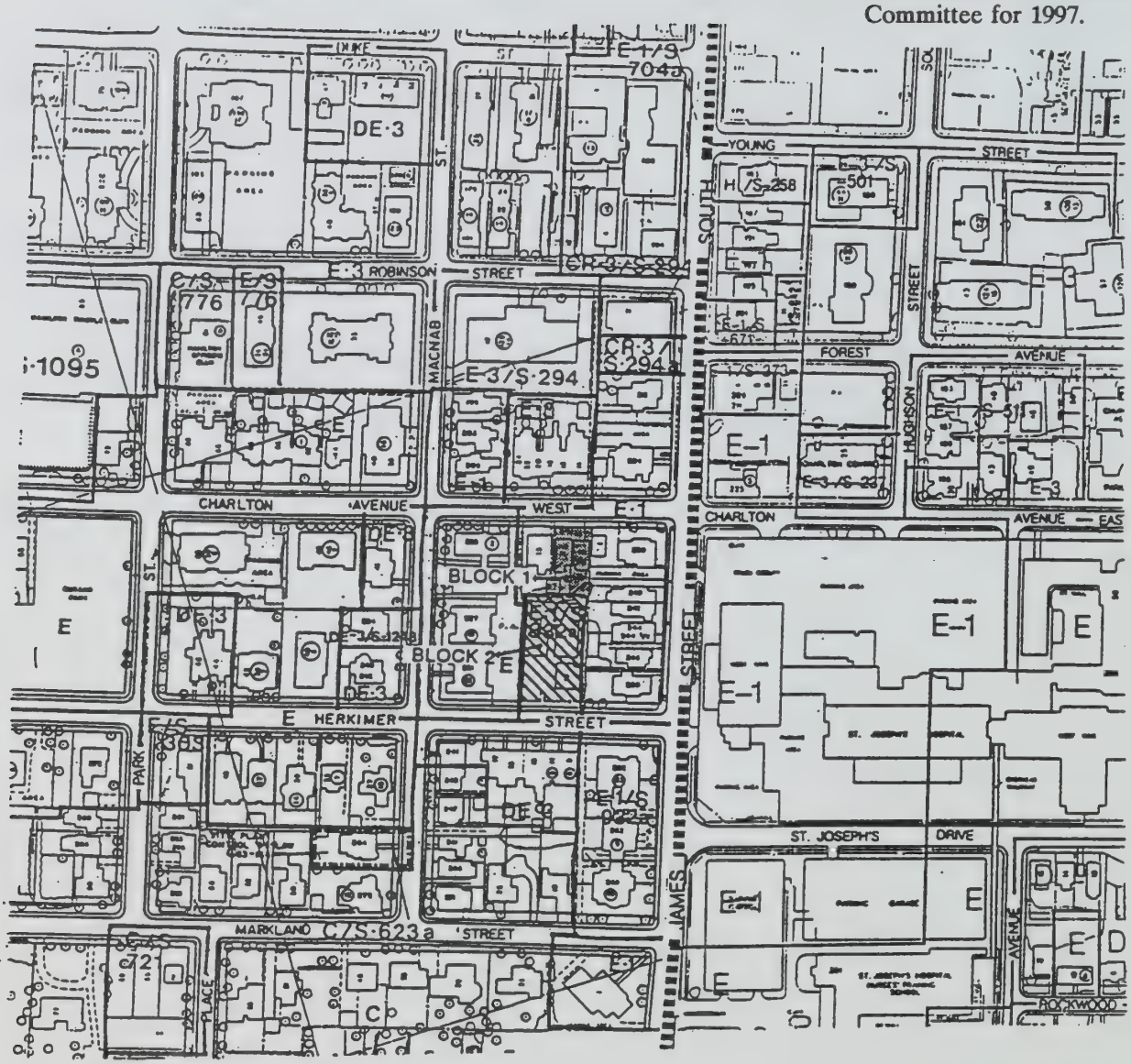
CITY CLERK MAYOR

SCHEDULE "B"

PERMIT FEES

All permit applications shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of thirty-five ($35.00) per two week period.

Appendix "B" referred to in Section 4 of the **SECOND** Report of the Planning and Development Committee for 1997.



Legend

Proposed Change .

BLOCK 1 — "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.

BLOCK 2 — Further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That By-law No. 91-089 respecting Indemnification of City Employees be repealed; and,

   (b) That a by-law to indemnify employees be enacted.

2. (a) That an amount of $2,625.80 be approved for the Hamilton Corporate Challenge to be used for the cost of entering and sponsoring two teams (a total of 40 City of Hamilton employees) to take part in the Hamilton Corporate Challenge organized by the Hamilton and District Chamber of Commerce on Sunday, 1997 June 8, at Christie Conservation Area; and,

   (b) That the funding for this expenditure be financed from the Unclassified Account number CH55120 24201.

3. (a) That the City of Hamilton confirm that it claims no interest in the property known municipally as 1342 Stone Church Road East, Hamilton, that had been sold in 1977 to Bell Canada, subject to development covenants in favour of the City set out in our 1977 deeds to Bell registered as Instrument Nos. 70118C.D. and 64016L.T. This property is being released from these covenants as they have been fulfilled; and,

   (b) That the Mayor and City Clerk be authorized and directed to execute documents for the said release in a form satisfactory to the City Solicitor.

4. (a) That the City renew its membership for 1997 with the Association of Municipalities of Ontario at a fee of $13,161.52; and,

   (b) That staff be authorized to remit this payment at a cost to be financed from Account No. CH 56011-10032 - Memberships.

5. (a) That a Pilot Project be undertaken with the Canadian Imperial Bank of Commerce, to evaluate the benefits and cost savings of introducing Procurement Cards; and,

(b) That the City Treasurer report back to the Finance and Administration Committee on the results of the Pilot Project.

6. (a) That the City Treasurer be authorized to accept the following financial arrangements for payments required under the Interest Free Loan Agreement between the City of Hamilton and the Hamilton Firefighters Drum Corps Inc. with respect to the property at 175 Dartnall Road:

(i) The first two quarterly instalments for the year 1997, in the amount of $10,700 each, be deferred to the end of the repayment period; and,

(ii) The monies equivalent to the first two payments for the year 1997, in the amount of $21,400, be applied to the outstanding balance of 1996 Realty Taxes applicable to 175 Dartnall Road and to provide for payment toward the 1997 Taxes; and,

(iii) Commencing 1997 July 1, quarterly payments towards the Interest Free Loan be reduced from an amount of $10,700 to an amount of $8,000; and,

(b) That the City Solicitor be authorized and directed to prepare an Amending Agreement to the original 25 Year Lease Agreement, between the City and the Hamilton Firefighters Drum Corps Inc., incorporating the amendments contained in Section (a)(i) and Section (a)(iii) above.

7. (a) That the appropriate By-law to authorize an agreement under Section 210.1 of the Municipal Act with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility be enacted; and,

(b) That upon the passage of the By-law, the Mayor and City Clerk be authorized to execute an Amending Contract satisfactory to the City Solicitor with the Hamilton Society for the Prevention of Cruelty to Animals to provide a Municipal Capital Facility; and,

(c) That upon passage of the By-law, the City Clerk shall give written Notice of the By-law to the Minister of Education and Training.

8. (a) That the City of Hamilton provide funding in the amount of $5,390.34 for twenty-five street banners for the 1997 ISU Championships Final, being held in Hamilton on 1997 February 28th to March 2nd; and,

   (b) That the City of Hamilton provide funding in the amount of $1,737.27 for a reception for ISU volunteers to be held on Monday, 1997 February 24th; and,

   (c) That total funding in the amount of $7,127.61 be charged to Account CH 54314 84010 (Reception Delegate Hosting Account).

9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

   (a) D-3 A By-law respecting Indemnification of Employees.

   (b) D-4 A By-law to Authorize: A Municipal Capital Facility Agreement with the Hamilton Society for the Prevention of Cruelty to Animals.

   (c) D-5 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1997 February 4

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. That the following five Members of City Council be nominated to serve on the Hamilton Health Sciences Corporation for a one year term of office:

_____

_____

_____

_____

_____

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE

J.J. Schatz, Secretary
1997 February 11

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 FEBRUARY 11
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

BILL NO. A-9

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding to **Part 2(b)** thereof the following item, namely:-

"Robert	Both	James to Hughson."

and by deleting from **Part 3(b)** thereof, the following items, namely:-

"Robert	Both	James to Hughson."

2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Fairleigh	West	King to Wilson	11 a.m. - 3 p.m.	3rd Tues Each Month APRIL - NOV
Coronation	South	Parkdale to 88 feet westerly	9 a.m. - 4 p.m.	Mon - Fri
St. Joseph's	North	commencing 332 feet east of John and extending 30 feet easterly therefrom		Anytime
St. Joseph's	North	commencing 200 feet east of John and extending 88 feet easterly therefrom		Anytime
Rennie	North	commencing 94 feet east of Tate and extending easterly to Woodward		Anytime
Rennie	North	Parkdale to Tate		Anytime."

and by deleting therefrom the following item, namely:-

"Rennie	North	Parkdale to Woodward	Anytime
St. Joseph's	North	200 feet east of John to 30 feet easterly	Anytime
St. Joseph's	North	From 229 ft. east of John to 58 ft. easterly	Anytime."

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. *A-10*

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Cadham	Westbound	Upper Gage
Terni	Eastbound	Upper Gage."

2. **Schedule 28 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Rennie	North	Tate to 54 feet easterly	Anytime."

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED BLOCKS 53, 58 & 59 ON
PLAN 62M-743
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Acadia Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Acadia Drive.

   All of Blocks 53, 58 & 59 on Plan 62M-743.

   City of Hamilton
   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

To Amend:

Local Improvement By-Law No. 10605

Respecting:

REVISED COSTS TO THE CORPORATION
FOR THE INSTALLATION OF LOCAL IMPROVEMENTS

WHEREAS By-Law No. 10605, passed on the 15th day of December, 1964, as amended by By-Laws Nos. 67-150, 73-72, 80-127, 80-156, 82-40, 83-75, 84-41, 85-70, 86-78, 88-096, 89-76, 90-49, 91-16, 92-102, 93-002, 94-002 and 96-057 provides for the undertaking of local improvements in accordance with the Local Improvement Act;

AND WHEREAS subsection 4a of section 13 of said By-Law No. 10605, as amended, provides for the local improvement rates to be charged against abutting lands for work done under the Local Improvement Act;

AND WHEREAS By-Law No. 96-057, passed on the 9th day of April, 1996 repealed subsection 4a of section 13 to By-Law No. 10605, as amended, and re-enacted a new subsection 4a to section 13 to provide for increased maximum local improvement rates, chargeable on a per metre frontage basis against abutting lands for work done under the Local Improvement Act;

AND WHEREAS City Council, on January 28, 1997, in adopting Item 19 of the 1st Report of the Transport and Environment Committee directed that the maximum local improvement charges per metre of frontage be increased as hereinafter provided;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Subsection 4a of section 13 of By-Law No. 10605, as re-enacted by By-Law No. 96-057, is repealed and the following substituted therefore:

   (4a) The chargeable amount per metre frontage referred to in clause (a) of subsection 4 shall be as follows:

   1. For curbs only at the rate of $63.00 per metre frontage.
   2. For sidewalks only at the rate of $98.00 per metre frontage.
   3. For sidewalks and independent curbs or combined sidewalks and curbs, at the rate of $135.00 per metre frontage.
   4. For roadway only, at the rate of $245.00 per metre frontage.
   5. For alleys, at the rate of $111.00 per metre frontage.
   6. For roadway and curbs only in industrial subdivisions, at the rate of $329.00 per metre frontage.

2. In all other respects By-Law No. 10605, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

(1997) 1 R.T.E.C. 19, January 28

The Corporation of the City of Hamilton

BY-LAW NO. 97 -

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED SOUTH OF KORDUN STREET AND WEST OF UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from "AA" (Agricultural) District, to "C"-'H' (Urban Protected Residential, etc. - Holding) District,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol referred to in section 1 shall be removed conditional upon the availability of all municipal services servicing the subject lands as the City deems necessary to service the proposed development; and,

   (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" District provisions.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1372.

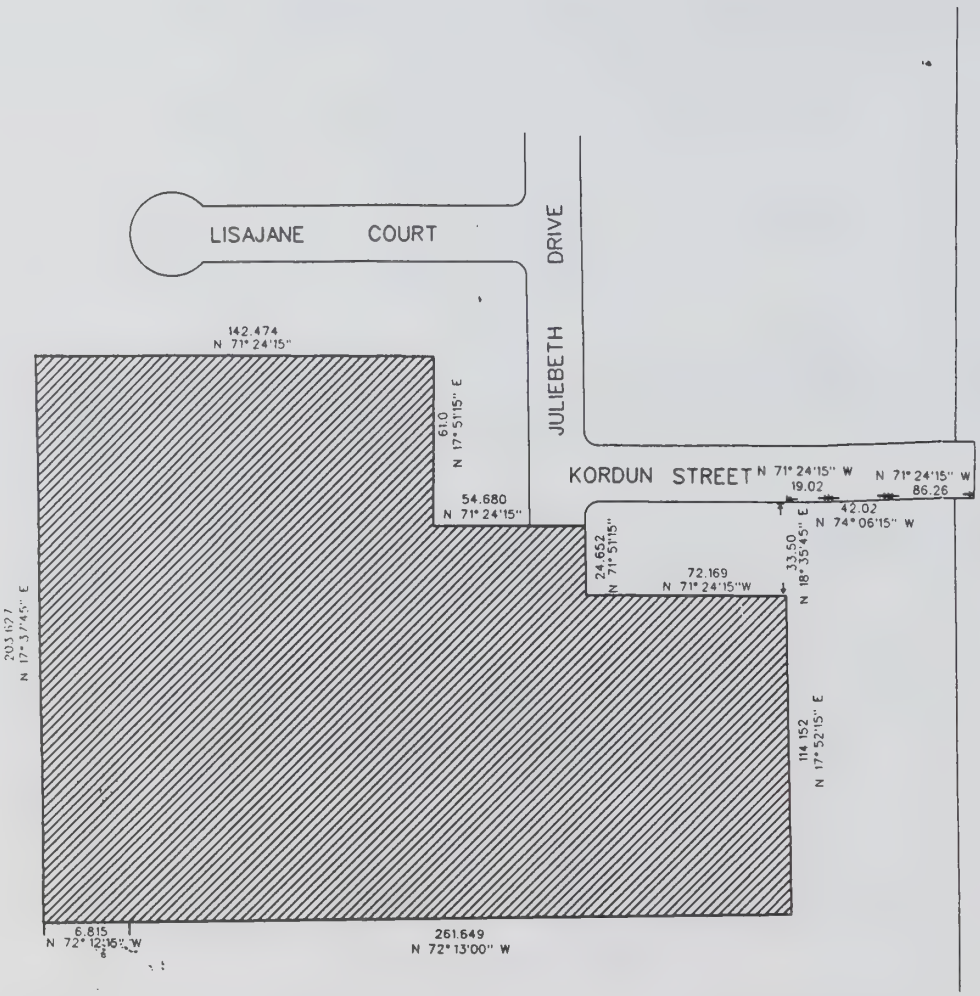
4. Sheet No. W-37C of the District Maps is amended by marking the lands referred to in section 1.(a) of this by-law, S-1372.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 19 R.P.D.C. 1, November 20
1099689 Ontario Inc. (Micor Developments), Owner
Amended ZAC-96-13



NOTE: All dimensions are in metres

This is Schedule "A" to By–Law No. 97–.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By–Law No. 97–____

to Amend By–Law No. 6593

Planning and Development Department

Legend

Change in zoning from

"AA" (Agricultural) District to:
"C"–'H' (Urban Protected Residential, etc. – Holding) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC–96–13
	Date	Drawn By
	Jan 1997	J.M.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

A BY-LAW TO REGULATE THE SIZE, USE, LOCATION AND MAINTENANCE OF MOBILE SIGNS ON PRIVATE PROPERTY WITHIN THE CITY OF HAMILTON

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof,

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic,

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape,

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes,

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law,

NOW THEREFORE the Council for The Corporation of the City of Hamilton ENACTS as follows:

ADMINISTRATION AND GENERAL PROVISIONS

Definitions

1. In this By-law,

(a) "agent" means a person designated by another person to act on his behalf;
(b) "applicant" means a person applying for a mobile sign permit under this By-law;
(c) "business" means any one activity, dealing, occupation or trade of either a commercial, industrial or professional endeavour as carried out or engaged in, at an establishment;
(d) "Chief Building Official" means the person appointed by the Council as the Chief Building Official for the City of Hamilton and includes his designate;
(e) "City" means the City of Hamilton in the Regional Municipality of Hamilton-Wentworth;
(f) "commercial district" means property that is zoned commercial as defined under City of Hamilton Zoning By-law 6593 as amended;
(g) "commercial or industrial complex" includes a shopping centre, shopping mall, shopping plaza, strip plaza, mall or place and is a group of three or more commercial uses excluding professional and administrative offices;
(h) "Corporation" means The Corporation of the City of Hamilton;
(i) "Council" means the Council for The Corporation of the City of Hamilton;
(j) "daylight triangle" means an area of a corner lot which is determined after the side lot line adjacent to the street and the street lot line have been extended to their point of intersection and by measuring from the point of intersection of the two lot lines a distance of 9.0m, along each lot line and joining such points with a straight line. The triangularly-shaped land between the point of intersection of such lot lines and the straight line joining the points at the designated distance along each such lot line shall be known as the "daylight triangle";
(k) "downtown core" means the area shown on Schedule "A" of this By-law;
(l) "electronic variable message centre (EVMC)" means an illuminated sign or part thereof which is computer controlled and which displays information to the public or attracts attention to the message by way of a pre-arranged or variable sequence of electronically generated letters, words, light patterns or shapes;

(m) "erect" includes the placing of, arranging for the placing of, the renting of, or the leasing of;

(n) "flashing mobile sign" means a mobile sign equipped with an intermittent or flashing light source;

(o) "street lot line" means the line that divides a lot from a street, but not a lane or alleyway;

(p) "grade" means the average level or elevation of the finished surface of the ground adjoining a building at all of the exterior walls or the mobile sign structure at the point of contact with the ground but shall not include any artificial embankment or planter box;

(q) "hiatus period" means a time period equal to fifteen (15) days. A hiatus period shall follow the placement of each and every mobile sign on a property in accordance with this by-law;

(r) "illumination" means lighting of the sign, in whole or in part by artificial means. Internal illumination means lighting the sign face with a light source located within the sign; external illumination means having a light source exterior to the sign and on, or directed at the sign, and flashing illumination means illumination that varies and is perceived to vary in intensity or design at periodic intervals;

(s) "industrial district" means property that is zoned industrial and defined under City of Hamilton Zoning By-law 6593 as amended;

(t) "message board" means that part of a sign on which the copy, characters, symbols or letters used to create the sign message are displayed, and "display surface" shall have a similar meaning;

(u) "mobile sign" means a sign mounted on a trailer or other free standing structure which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is the transportation of people, goods or other materials;

(v) "mobile sign permit" means a mobile sign permit issued by the Chief Building Official or his designate pursuant to the provisions of this By-law for the legal display of a mobile sign;

(w) "motorized vehicle" means an automobile, truck, motorcycle or similar self-propelled means of transport but does not include a trailer;

(x) "multiple address location" means a location where two or more municipal addresses are contained in the same commercial or industrial complex or place;

(y) "permit holder" means a person who holds a valid mobile sign permit issued under this By-law;

(z) "person" means an individual, firm, corporation, association, business or partnership and includes an owner and lessee of a property;

(aa) "premises" means specific property, and includes all buildings and accessory structures thereon;

(bb) "property" means and refers to the location where a sign is to be positioned for display, or is displayed, or can be a reference to a specific street address of a business and includes a multiple address location;

(cc) "Regional Council" means the Council for The Regional Municipality of Hamilton-Wentworth;

(dd) "sign" means any medium or device including its structure and other component parts which is used or capable of being used to attract attention to a specific matter other than itself, for identification, information, business promotion or advertising purposes;

(ee) "sign area" means the number of square metres on the surface of a sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the sign;

(ff) "sign height" means the vertical distance measured from the proposed or finished grade immediately below the sign to the highest extremity of the sign including the border or frame; and,

(gg) "unsafe sign" means a sign which is either structurally unsafe, or which constitutes a fire or safety hazard, or impedes the movement of vehicular or pedestrian traffic, or which would otherwise constitute a risk to the safety of persons or premises.

Administration

2. The Chief Building Official or his designate shall:
   (a) receive and process all applications for mobile sign permits required under this By-law;
   (b) administer the issuance of mobile sign permits in accordance with provisions of this By-law;
   (c) maintain and keep records of all applications received for mobile sign permits and records of all mobile sign permits issued;
   (d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

Mobile Sign Permits

3. No person or his agent shall erect, display or otherwise use a mobile sign, without first obtaining a mobile sign permit as provided by this By-law.

4. A person or his agent, may obtain a mobile sign permit if:
   (a) he completes an application form provided by the Chief Building Official or his designate;
   (b) he files, as may be required by the Chief Building Official, in duplicate, a sketch of sufficient detail and quality as is necessary to ascertain whether or not the mobile sign will be in compliance with this By-law with accurate measurements of distances showing the intended location of the mobile sign and from that location the:
      (i) distance to the nearest street lot line;
      (ii) distance to the nearest edge of pavement of the nearest roadway;
      (iii) distance to the nearest edge of pavement at the intersection of two or more streets;
      (iv) distance to the nearest edge of the nearest mobile sign;
      (v) distance to the nearest edge of a building;
      (vi) distance to the nearest residential property; and
   (c) he files, as may be required by the Chief Building Official, measurements of the size of the mobile sign and it's supporting framework.

5. The number of days that a mobile sign is erected or displayed, shall be determined from the date and including the day of permit issuance, or date of erection if the mobile sign was erected prior to permit issuance.

6. The Chief Building Official or his designate may require a person, or his agent to provide proof of interest either as a lessee, renter, tenant or owner of the property on which the mobile sign is to be located, and/or a legal survey of the property on which the mobile sign is located or is intended to be located.

7. At any one property a maximum of two (2) mobile signs may be erected at any one time provided that there is a minimum distance of 30 meters between each mobile sign on the same property in accordance with Section 8.

8. No mobile sign permit shall be issued for a property at a municipal address or location where a hiatus period has not transpired.

9. No person shall make application for a mobile sign permit who is not the owner, or the authorized agent of the owner of the property on which the mobile sign is to be placed.

10. No person, or his agent shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a mobile sign permit, or revision thereto.

11. No person, or his agent shall apply for or receive mobile sign permits which total more than 360 days for any property within any one (1) calendar year in accordance with sections 7 and 8 above.

12. Applications will be processed in order of date and time received but no permit will be issued for a property which already has a mobile sign permit and until that mobile sign permit and hiatus period have expired.

13. A person or his agent or a permit holder may erect, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign where the sign is not in the "downtown core" (as defined on Schedule "A" to this By-law) and:
    (a) is located on property which is zoned as:
        (i) a "commercial district" including:
            1. the "G" Districts including "G", "G-1", "G-2" and "G-4" [except "G-3" (Public Parking Lot) District]; and
            2. the "H" and "HH" Districts; or
        (ii) an "industrial district" including:
            1. the "J" and "JJ" Districts;
            2. the "K" and "KK" Districts; and
            3. the "M" Districts, including "M-11", "M-12", "M-13", "M-14", and "M-15";
    (b) notwithstanding (a) above, is located in a City owned park and is being used in conjunction with a City of Hamilton or Regional Council approved special event;
    (c) is in good repair and has not become unsafe, unsightly or dangerous;
    (d) is situated at grade;
    (e) where it is electrically illuminated, has Ontario Hydro safety code approval;
    (f) where it is utilizing electrical power, uses only an electrical cord that has C.S.A. approval;
    (g) is located on private property and is not located on a road allowance;
    (h) where it is located within 100 feet (30.5 metres) of a residential zone, is equipped with a timer to turn off the light source in order to eliminate any annoyance to persons in the adjoining residential zones between the hours of 10:00 P.M. and 8:00 A.M.;
    (i) has the name and telephone number of the owner of the mobile sign affixed to the mobile sign at a clearly visible location;
    (j) has not greater than $5.6m^2$ of sign area per face with no one dimension greater than 2.4m; and
    (k) has a sign height that does not exceed 2.4m.

14. No person, or his agent or permit holder, shall erect, permit to be erected, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign on lands or buildings owned, rented, leased or occupied by them:
    (a) for more than 60 consecutive days;
    (b) for more than 180 calendar days per year;
    (c) on a property where a previous mobile sign permit has expired and no further permits are available in accordance with subsections (a) and (b) above;
    (d) the content of which would indicate a contravention of any zoning or other by-law, Act or regulation enforceable in the municipality;
    (e) contrary to the approved location on a sketch, and contrary to information on the application, in respect of which the mobile sign permit was issued;
    (f) so as to obstruct openings required for light and ventilation, any required means of egress or required access for fire fighting;
    (g) at any location where the sign obstructs the sightlines and view or any unimpeded mobility of any pedestrian or driver of a motor vehicle or obstructs the visibility of any traffic sign or device;
    (h) which obstructs or otherwise interferes with an exit door or fire escape, fire exit route, fire hydrant, or yard hydrant so as to prevent or impede the free access of emergency vehicles and personnel to emergency equipment or to any part of a building requiring such access;
    (i) which obstructs or otherwise impedes the parking of a motor vehicle or is situated in a required parking or manoeuvring area;
    (j) with electrical wiring in the path of vehicular or pedestrian traffic;
    (k) which has flashing or moving lights;
    (l) which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion;
    (m) which in whole, or in part is an electronic variable message centre;
    (n) which emits illumination resembling an emergency light or traffic regulating device;
    (o) prior to the issue date set out in the mobile sign permit;
    (p) which would be an unsafe sign;
    (q) within 50 feet (15 metres) of the closest edge of the nearest mobile sign;
    (r) within 30 feet (9 metres) of the intersection of two streets;
    (s) within 50 feet (15 metres) of a residential district;

(t) where the setback from property lines to the mobile sign is less than 1.5 metres;
(u) where the mobile sign is elevated on any temporary or permanent object which is being used as the base for a mobile sign or part of a mobile sign structure;
(v) where the property is zoned anything other than that indicated in section 13;
(w) where the property on which the mobile sign is located is zoned "residential";
(x) where the property on which the mobile sign is situated is located, in the downtown core as shown on Schedule "A" of this By-law;
(y) where two mobile sign permits have already been issued for the property and have not expired;
(z) where a hiatus period has not expired;
(aa) where the mobile sign would not comply with this or any other by-law;
(bb) which has more than two sign faces or any one sign face which exceeds $5.6m^2$ in area or has any one dimension that is greater than 2.4m;
(cc) which has a maximum height measured from grade greater than 2.4m; and

15. A person or his agent shall place the mobile sign at the municipal address of the person named on the application.

16. The permit fee as set out in Schedule "B" shall be submitted with each application for a mobile sign permit.

17. The permit fee as set out in Schedule "B" does not apply to an application for a Council or Regional Council approved special event.

REVOCATION OF A PERMIT

18. A mobile sign permit may be revoked by the Chief Building Official or his designate under the following circumstances:
(a) where the mobile sign does not conform to this By-law and amendments thereto;
(b) where the mobile sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;
(c) where the mobile sign permit has been issued as the result of false, incorrect or misleading statements;
(d) where the mobile sign permit has been issued in error by the Chief Building Official or his designate.

VARIANCES

19. (a) Where the applicant or person in control of a sign for any reason is unable to comply with the provisions and regulations under this by-law, such person may apply to the Council for a minor variance from the provisions and regulations of this by-law.

The Council shall hear all such applications and may authorize minor variances from the provisions and regulations of this by-law.

(b) All applications for a minor variance shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of three hundred dollars ($300.00). The variance fee shall not be refundable.

PENALTIES AND ENFORCEMENT

Removal of Illegal Mobile Signs

20. (a) When a mobile sign is erected or displayed in contravention of the provisions of this By-law, the mobile sign shall be removed immediately without notice, where located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City of Hamilton;
(b) Where a mobile sign is located on property other than property owned by or under the jurisdiction of the City of Hamilton, the Chief Building Official or his designate may forward a notice, by personal service or regular post, to the Lessee or owner of the sign, or their agents, or to the person or agent having the use or

major benefit of the mobile sign, requiring that the mobile sign be permanently removed within the time specified in the Notice and thereafter not replaced with any mobile sign in contravention of this By-law;

(c) If the Notice is not complied with the Chief Building Official or his designate may require that the municipality, its employees, or an independent contractor enter upon the land and remove such mobile sign. The owner of the land upon which the mobile sign was located shall pay for any costs or expenses of the City. Such costs or expenses may be recovered in like manner as municipal taxes under the provisions of Section 326 of the Municipal Act, R.S.O. 1990, c.M.45 as amended from time to time;

(d) where a mobile sign is deemed by the Chief Building Official or his designate to be in such a condition or location that it is or may be a hazard to the public, the Chief Building Official or his designate may either serve written notice to the owner or tenant of the property on which, or in front of which such mobile sign is located, to remove such mobile sign or make the same safe, or without giving notice to the owner or tenant of the property on which such mobile sign is located, cause such mobile sign or structure to be removed;

(e) any sign removed pursuant to this Section may be deposited on the property on which or in front of which it was located or removed;

(f) mobile signs removed shall be stored by the City for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such mobile sign upon the payment to the City of a one hundred dollar ($100.00) fee in addition to any applicable costs or expenses referred to in subsection (c) above;

(g) where a mobile sign has been removed by the City and stored for a period of 30 days and has not been redeemed, such mobile sign shall be forthwith destroyed or otherwise disposed of by the City.

Penalty for Non-Compliance

21. (a) Any person who, on his own or by his agent, contravenes any of the provisions of this By-law is guilty of an offence and liable upon conviction under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time to a fine of not more than five thousand dollars ($5,000.00), exclusive of costs, for each offence. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and may be punishable as such thereunder. Such fine shall be recoverable under the Provincial Offences Act.

(b) Where a person has been convicted of an offense under this By-law the Court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offense or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offense.

(c) Neither the granting of a permit nor the approval of the drawings and specifications, nor inspection made by the authority having jurisdiction during the erection of a sign shall, in any way, relieve the owner of such sign, tenant or the owner of property on which the sign is located, from full responsibility for carrying out the work in accordance with the provisions of this By-law.

Liability

22. Any persons erecting or maintaining any mobile sign or on whose property a mobile sign is located, shall be liable for such mobile sign. The municipality is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the erection, maintenance, removal or falling of such mobile sign or part thereof.

Notice

23. Any notice required to be given under this By-law is sufficiently given if delivered personally or sent by regular mail addressed to the person making application for permit to erect a mobile sign, or where such sign is existing, by ordinary mail to the owner or tenant, according to the last revised Assessment Roll of the municipality, of the property on which, or in front of which, the sign is located, or at the last address for delivery appearing on the records of the Chief Building Official or his designate.

Schedules

24. All schedules referred to in this By-law and attached to this By-law shall be deemed to be a part of the By-law.

Applicability

25. This By-law shall be applicable to all lands within the corporate limits of the City of Hamilton.

Validity

26. If a court of competent jurisdiction declares any provisions or part of a provision, of this By-law to be invalid or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

Meaning

27. For the purpose of this By-law, where the words "his" or "he" is used they shall also mean or stand for the words "her" "she" and "it" in the case of a corporation.

Short Title

28. This By-law shall be known as the Mobile Sign By-law.

Effective Date

29. Except for section 16, which shall come into force and take effect on the 12th day of May 1997, this By-law shall come into force and take effect on the 12th day of February, 1997.

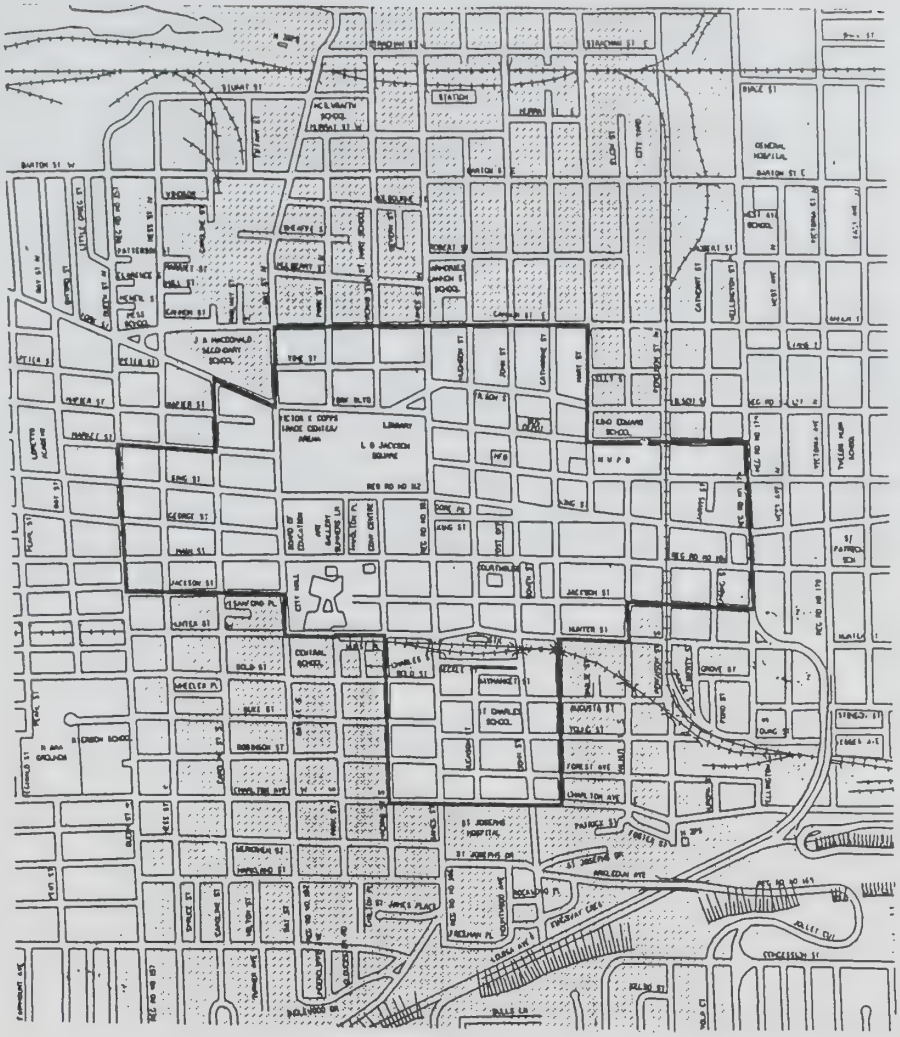
PASSED this 11th day of February, A.D. 1997

CITY CLERK MAYOR

SCHEDULE "B"

PERMIT FEES

All permit applications shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of thirty-five ($35.00) per two week period.



This is Schedule "A" to By–Law No. 97–.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By–Law No. 97–____

Planning and Development Department

Legend

Delineates Boundary of Downtown Core

North	Scale	Reference File No.
	NOT TO SCALE	CI–91–I
	Date	Drawn By
	January 1997	R.L.

Bill No. D-3

The Corporation of the City of Hamilton

BY-LAW NO. 97-

Respecting

INDEMNIFICATION OF EMPLOYEES

WHEREAS subsection 50 of Section 207 of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, allows municipalities to pass by-laws to protect employees of a municipality against risks that may involve liability on the part of the employee and for paying any damages or costs awarded against the employee or expense incurred by the employee as a result of any action or proceeding arising out of the acts or omissions done or made by any employee in their capacity as employee, including while acting in the performance of any statutory duty or for paying any sum required in connection with the settlement of an action or other proceeding and for assuming the cost of defending the employee in such an action or proceeding;

AND WHEREAS Council enacted By-law No. 91-089 on April 30, 1991 to provide indemnification to employees of The Corporation of the City of Hamilton;

AND WHEREAS City Council, on February 11, 1997 in adopting Section 1 of the Second Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this By-law

   (a) "Corporation" means The Corporation of the City of Hamilton;

   (b) "employee" means any person employed by the Corporation or a Local Board and, for the purposes of this By-law, includes any person who provides services on behalf of the Corporation or a local board without remuneration exclusive of expenses or honoraria;

   (c) "Local Board" means a local board as defined in the Municipal Affairs Act, R.S.O. 1990, Chapter M.46, as amended, as far as applicable to the Corporation.

2. The Corporation hereby designates, only for the purpose of this By-law, all persons who provide their services to the Corporation without remuneration, except for reimbursement of expenses and honoraria, as employees of the Corporation.

3. The Corporation shall agree to pay for any damages or costs awarded against any employee of the Corporation or expenses incurred by them as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees of the Corporation, including while acting in the performance of any statutory duty imposed by any Act or for paying any sum required in connection with the settlement of any action or other proceeding and for assuming the cost of defending an employee in such action or proceeding to the extent that such costs damages, expenses or sums are not assumed, paid or reimbursed under any provision of the City's insurance program.

4. The indemnification of an employee, as provided for in Section 3, does not apply to the payment of any damages or cost awarded by a court or agreed to by settlement of an action or other proceeding for an employee who is charged with a criminal offence under The Criminal Code, R.S.C. 1985, Chapter C-46, as amended, or any Provincial Offence under the Provincial Offences Act, R.S.O. 1990, Chapter P.33 or any other violation of Provincial, Federal or Municipal laws or Regulations.

5. Despite Section 4, Council may indemnify an employee for the employee's legal defence costs if the Council finds that,

   (a) the employee acted honestly and in good faith with a view to the best interests of the City, and

   (b) the employee had reasonable grounds for believing his or her conduct was lawful, and

   (c) the employee had reasonable grounds to believe he/she was acting in accordance with policies of the City.

6. An employee involved in an action or proceeding related to the employee's capacity as an employee of the Corporation shall co-operate fully with the Corporation and the lawyer retained by the Corporation to defend the action or proceeding and shall make available to the Corporation's lawyer all information or documents relevant to the matters that are within the employee's knowledge, possession or control and shall attend all proceedings when requested by the lawyer and shall testify under oath or affirmation if so requested.

7. If an employee refuses to comply with the provisions of this By-law, the Corporation shall not be liable to indemnify the employee.

8. The indemnification of an employee, as provided for in Section 3, includes a person who was an employee at the time the cause of action or other proceeding arose, but who prior to judgment or other settlement of the action or proceeding has ceased to be an employee.

9. This By-law does not apply to,

   (a) an act or omission that occurred prior to the 20th day of June 1978, or

   (b) a legal proceeding related to a grievance filed under the provisions of a collective agreement, or to disciplinary action taken by the City as an employer.

10. By-law No. 91-089 is repealed in its entirety.

PASSED this 11th day of February A.D. 1997.

CITY CLERK MAYOR

The Corporation of the City of Hamilton

By-law No. 97-

To Authorize:

A MUNICIPAL CAPITAL FACILITY AGREEMENT WITH THE HAMILTON SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

WHEREAS the Hamilton Society for the Prevention of Cruelty to Animals provides animal control services to the City of Hamilton under a Contract dated January 29, 1992;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Ontario Regulation 46/94 authorizes municipal capital facility agreements and tax exemptions for the provision of services related to the protection, regulation and control of animals;

AND WHEREAS the City and the Society have proposed to enter into an Agreement to provide Municipal Capital Facilities for the protection, regulation and control of animals;

AND WHEREAS Council, on February 11, 1997 in adopting Section 7 of the Second Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton may enter into an agreement with The Hamilton Society for the Prevention of Cruelty to Animals for the provision, management and maintenance of the municipal capital facility known as The Hamilton Society for the Prevention of Cruelty to Animals animal control shelter at 245 Dartnall Road, Hamilton, Ontario.

2. The Clerk shall give written Notice of this By-law to the Minister of Education and Training.

PASSED this 11th day of February A.D. 1997

CITY CLERK MAYOR

BY-LAW NO. 97 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF FEBRUARY A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of February A.D. 1997

CITY CLERK MAYOR

URBAN\MUNICIPAL
CA4 ON HBL A05
A31
1997

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

URBAN MUNICIPAL

Tuesday, 1997 February 25
7:30 o'clock p.m.
Council Chambers, City Hall

FEB 25 1997

GOVERNMENT DOCUMENTS

J. J. Schatz
City Clerk

AGENDA

1. **National Anthem.**

2. **Opening Prayer:** **Father Alois Justen**
St. Boniface Roman Catholic Church

3. **Presentations:**

(a) **CERTIFICATE OF RECOGNITION** **Sharon Titian**

(b) **Mayor to recognize The Player's Guild for donating the land which will be used by the Hamilton Habitat for Humanity**
Trevor McAnuff, President
Hamilton Habitat for Humanity

Norm Westbury, Chairman

Margaret Houghton
Business Manager

(c) **Ric Robertshaw, The President of the Canadian Public Works Association to recognize Joe Pavelka and Charlie Guthro for chairing the Co-ordinating Committee for Hamilton to successfully host the 1996 CPWA Conference and Exposition.**

4. **Adoption of the minutes of the meeting held 1997 February 11.**

5. **Correspondence**

6. ***Reports of the Standing Committees:***

   (b) Parks and Recreation Committee
   (c) Planning and Development Committee
   (d) Finance and Administration Committee
   (e) Licensing Committee
   (f) Nominating Committee - To appoint a Chairman of the Committee of the Whole for the next three months.

7. ***Notices of Motion for next meeting.***

8. ***Question Period.***

9. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1997 February 11
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was played.

* * * * * * * * * * * *

ADOPTION OF MINUTES

The minutes of the meeting held 1997 January 28 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow presented a Certificate of Recognition to Mr. and Mrs. Jim Byrnes for their financial contribution of $25,000 to the City of Hamilton Fire Department.

CORRESPONDENCE

1. Facsimile dated 1997 February 1 from Mr. Wayne Marston, President, The Hamilton and District Labour Council, 1130 Barton Street East respecting Bill 99 - Municipal Expenditures.

   Referred to the Finance and Administration Committee.

2. Application dated 1997 December 16 from First Place Hamilton, 350 King Street East, Suite 208 for a modification to the "CR-3" (Commercial - Residential) District for 350-360 King Street East, Hamilton, Ontario.

   Received

3. Application dated 1997 February 4 from Investonics Limited, c/o Rein Reso for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District for 100 Locke Street South.

   Received

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT

Section 13 Re: Appendix "A" revised.

It was moved by Alderman Merling and seconded by Alderman Anderson that Appendix "A" of Section 13 of the Second Report for the Transport and Environment Committee for 1997 be deleted and replaced with the revised Appendix "A" as follows:

Location	Municipal Address	Owner	Type of Encroachment	First Year /Annual Fee	File Number
East Avenue North	249 East Avenue North	F. and W. Rodojewski	Landscaping measuring 13.1m x 4.571m	$138/$20	T103 50 (1271)
Augusta Street	121 Augusta Street Network of Hamilton	The Community Adolescent	Trees and concrete curbs	$138/$20	T103 50 (1219)
Mary Street	301 Mary Street	M. Jazvac	Veranda measuring .36m X 9.14m	$138/$20	T103 50 (1267)
Bay Street	260 Bay Street North	M. and H. Duarte	Concrete steps measuring 0.146m X 0.91m	$138/$20	T103 50 (1249)
Bay Street & Strachan Street	325 Bay Street North	R Stiles	Portion of building measuring 14m x 0.5m on Bay St and 6.5m x 2m on Strachan St	$138/$20	T103 50 (1288)
Catharine Street	81 Charlton Avenue East	D. Vranich	Key pedestal measuring 0.3048m sq., 5 trees, 3 concrete curbs measuring 4.0m x 0.15m, a concrete walkway measuring 4.0m x 1.0m and 4 planting beds measuring in total 13.30m x 0.65m	$232/$20	T103 50 (1258)

CARRIED.

* * * * * * * * * *

Section 18 Re: Extension of Elmore Drive - 1472 and 1496 Upper Gage Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico. -15

NAYS: Alderman Copps. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - SECOND REPORT

Section 2 Re: City Initiative 91-I - Mobile Signs on private property

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -14

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

* * * * * * * * * * * * *

Section 9(b) Re: Bill C-11: A By-law to Regulate the Size, Use, Location and Maintenance of Mobile Signs on Private Property within the City of Hamilton.

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Merling, Anderson, D'Amico, Ross. -14

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SECOND REPORT

Section 2 Re: Hamilton Corporate Challenge

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: Aldermen Copps, Wilson. -2. **CARRIED.**

* * * * * * * * * * * *

Section 3 Re: 1342 Stone Church Road East - Bell Canada - Conflict of Interest

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is employed by Bell Canada.

****

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 8:05 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 February 11
JJS/dg

CORRESPONDENCE

Correspondence:

1. Application dated 1997 February 12 from A. DiSilvestro, 161 Rebecca Street, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential etc.) District to "R-4" (Small Lot Single Family Dwelling) District for Block "1" and for a further modification to the "B-2" (Suburban Residential) District for Block "2" for property east of Springside Dr. south of Jacqueline Blvd., and west of the proposed extension of Upper Wellington Street/Mount Hamilton Cemetary.

   Recommendation: **Be Received.**

2. Application dated 1997 February 11 from Fiore and Vally Manganiello, 93 Country Club Drive, Hamilton, Ontario for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "DE-2" (Multiple Dwellings) District modified for 87-95 Wellington St. N. and 216 Wilson Street, Hamilton, Ontario.

   Recommendation: **Be Received.**

3. Application dated 1997 February 13 from 822827 Ontario Inc., c/o Agro, Zaffiro, et al, for changes in zoning from "DE-2" (Multiple Dwellings) District and "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District and "R-4" (Small Lot Single Family Dwellings) District for lands located East of Upper Kenilworth Avenue and North of Limeridge Road East, Hamilton; and application for a revision to Draft Plan Approved Subdivision 25T-83004(R) "Wisemount Estates Phase 9 and 10 for 67 Street Townhouses.

   Recommendation: **Be Received.**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. That the 1997 Workplan of the Arts Advisory Commission attached hereto as Appendix "A", be approved.

2. That approval be given the Director of Culture and Recreation to expend up to $600 from the Hamilton Children's Museum Reserve Account No. CH5X942 00183 for the construction of adequate structural support for the exhibit floor at the Hamilton Children's Museum.

3. (a) That the Mayor and Clerk be authorized to sign an agreement which extends the Joint Management Agreement between the City of Hamilton and the Hamilton Region Conservation Authority for the remediation of the Red Hill Creek Valley for a term of three months from 1997 March 31 to 1997 June 30; and,

   (b) That the City Solicitor be authorized to prepare the necessary document to effect the Agreement extension.

4. (a) That, based on the successful trial period during the 1996 Golf Season, the concessionaires at the Hamilton Civic Golf Courses be authorized to continue with the sale of alcoholic beverages from mid-course concession stands in accordance with existing Provincial and local statutes, terms and conditions for the duration of their contracts with the City of Hamilton; and,

   (b) That the City Solicitor be authorized to amend the contracts accordingly.

5. That No. 1 Spruceside Avenue not be declared surplus to the requirements of the City and that no action be taken to dispose of same.

Objectives	Rationale	Implementation Strategies	Current Status	1997 Objectives
FACILITIES				
*5. Develop policy "Art in Public laces".	•No clear guide for planning, selection, funding, maintenance.	•C&R and AAS develop Policy and administer.	•Council approved Policy in 1992 •Funding approved 1994; additional years' funding denied •Storage set-up (Burlington St.) •Donations of Artwork (2 donors in 1996) •Finalize draft of Collections Policy •Documentation of public art collection, 1994.	•Advocate for ongoing and increased support in dollars\services in kind by Council: maintenance and acquisition budget. •Recommendation that City facilities have public art component whenever suitable. •completion of maintenance program for public art. •staff to report annually on acquisitions,conservation,maintenance of public art.
*6. C&R to coord. technical aspects of Special Events.	•No clear leadership •Eliminate confusion •Clarify process.	•Print guide for Special Events •One office coord.	•Special Events Coordinator in place since 1989. •SEAT Committee established in 1989 meets on regular basis. •Achieved "one stop" shopping for event organizers through SEAT Committee. •Draft guidelines for special Events. •First Night:City purchased copyright (1995).	
*7. City to take active role to support & develop facilities.	•space very limited for exhibits, storage, rehearsal, workspace offices. •Two-tier subsidy re Arts' use of City-owned/operated facilities	•Support use of City-owned buildings for arts activities, e.g. St. Marks (prospective), Rec.Centres arts classes; public art at Lawfield, Twin Pad, Inchpark and Parkdale Arenas. etc. • 4 temporary exhibits annually at City Hall's 2nd flr. •Combined arts/heritage events: Museum of Steam and Technology, Children's Museum.	•Continue using City facilities for Arts programmes. •multiple downtown venues for First Night arts activities	•Continue to explore live/work spaces (e.g. Artscape in Toronto, defunct Barton St. development,Downtown core).
*8. Ongoing research & consultn on facilities	•Respond to changing needs	•Assess public bldgs.for Arts use when they are available. •C&R and AAS to monitor & assess	•Ongoing (e.g. St. Mark's Church); Infrastructure study (Departmental); •liaison with other arts organizations (e.g. Creative Arts, Hamilton Region Arts Council).	•Ongoing:AAC and community arts reps are invited to be part of planning meetings, e.g. St. Mark's Church. •compile "arts" facts/economic impact for community.

Objectives	Rationale	Implementation Strategies	Current Status	1997 Objectives
PROGRAMMES				
*9. Annual Arts Awareness campaign	•Community education and health •Invite community participation •Foster tourism and economic benefit	•C&R and AAS take a leadership role to coord. Arts, its partners, & the community at large.	•No campaign '94-'96 •1991, 1992,1993 Arts Week & Arts month promoted. •1995,1996 First Night Arts event. •Annual Arts Award ongoing.	•Heighten public awareness and ensure the Arts are involved as partners in events/festivals. •Hamilton Arts Award; administered by Commission since 1990, on-going. Raise profile and expand program and categories.
*10. City support access to Arts education programme for citizens of Hamilton	•Variety of venues •Enhance personal growth and self-esteem. •Arts as beneficial to well-being as sports activities.	•City to do inventory of arts educn. opportunities •Identify potential users •AAS share know-how via workshops.	•Public Art Symposium and document, 1992 •Business and the Arts Symposium and document 1996 •See attached Appendix for more programme listings: Enhanced Arts classes for 8-12 yr. olds, all Recreation Centres. •Arts component has been built into delivery of other City programmes and events, opening ceremonies	•Consider as objective for commission on an as-need basis. •Focus for 1997 Symposium for artists of all disciplines •Continue to schedule ongoing art exhibits at City Hall; AAC to be advised of schedule for cross promotion. •Integrate the A.A.C. into various city groups and initiatives.
11. City assist Arts in public awareness of activities/issues	•Improve access to information	•City Info. Hot Line •Promote regular dialogue within the Arts •Info booklet on Grants process.	•Spec-tel line •Several organizations provide regular newsletters, calendars (Econ. Dev't./Broadway, Artsbeat Magazine, Cable 14,etc. •Since 1991 grants info workshop held annually, early December. •listing of in-house arts programmes in departmental calendar	•Facilitate web site for Hamilton Arts Community •Explore interlink with HARAC, Creative Arts, Libraries, Mohawk College, McMaster, Musicians' Guild etc. NOTE: Website project now in progress through BAAC.

Objectives	Rationale	Implementation Strategies	Current Status	1997 Objectives
FUNDING				
*12. Differentiate between City facility grants & Community programme grants.	•Equitable distribution of grants •Encourage responsible accounting in the Arts.	•Applicants to meet 4 key criteria (a-d)	Appendix: •see attached revised City grants policy which reflects equitable distribution & accountability issues.	•Recommendation that City continue to provide grants to non-profit arts groups; monitor outcomes.
*13. Mechanism for Peer consultn. re grants application process.	• Apply relevant Arts knowledge/experience to decision process.	•Arts Commission recommend non-partisan reps. •Provide rational consistent basis for grants.	•Grants process changed 1992. •Grants Coordinator role since 1980 through Treasury Dept.	•Monitor changes to grants process.
*14 Restructure time frame for grant applications.	•Encourage fiscal responsibility. •Facilitate financial planning, alternate funding sources.	•Three-month turnaround or 2 funding periods (Oct. & Feb. apps.)	•Annual deadline: Dec.31 •City budget approved once per year (March). Groups now aware, through Grants Coordinator.	•Raise awareness among arts community of upcoming deadlines and monitor progress.
*15. Grants to recognize inflation.	•Ensure consistent progs/servs.	•Cornerstone groups get inflation rate.	•Increase in level of general grants budget is tied to the rate of assessment, not the rate of inflation.	•Monitor and advocate for necessary increased support through funds, service or promo to potential partners/funders
16 Review Arts grant recipients over 2 yrs -services/finances.	•Make Arts mgmt. accountable. •Increase effective use of grant $.	•Monitor over 2 yrs. •Freeze level if poor performance. •Then decrease, if no improvement.	•City Treasury Dept. monitors large grants (over $10,000) by requiring audited statements.	•Monitor maintenance of accountability.
*17. Opportunity for individuals & private groups to get grants.	•Not in City Policy at present.	•Allow to apply under established non-profit Arts organization.	•This is now part of the revised grants policy.	•Monitor;work to increase funding & service-in-kind and other aspects of city support.
18. Arts applicant to prove other sources of funds.	•City should not have to fund either total project budget or total operating expenses.	•City to fund 1/3 maximum. •Group to show proof of other sources.	•This is required to be shown on the application form. 20% max.	•Maintain status quo.
*19. City to support ongoing development of Arts programmes.	•Hamilton a major urban centre; Arts to keep pace with growth & needs.	•Two-tier assessment based on taxes. •Coord. with Region.	•Has not happened yet as recommended in this particular strategy.	•Monitor funding issues which affect local arts groups.
*20 Establish funds for new Arts programmes or organizations.	•Ensure Arts growth, new ideas. •None exist currently.	•10% of Arts funds allocated to new projects or one-time events.	•This is part of the revised grants policy.	•Maintain status quo.

Objectives	Rationale	Implementation Strategies	Current Status	1997 Objectives
IMPLEMENTATION				
21. Procedure to implement & evaluate Arts Policy.	•Evaluate progress. •Utilize experience. •Recommend action.	•Arts Commission plans annual forum for public participation. •Arts Coord. - ongoing •AAC - ongoing.	•Arts and Business Symposium June 5, 1996. •Arts Advisory Subcommittee Public Art Commission integrated into one body in 1995 i.e. A.A.C. •Guidelines for Members revised 1996	•Phase II to be held in 1997

•In January, 1987, the Arts Task force submitted its recommendations.
* Numbers correspond to similar recommendations between the two reports.

Additional recommendations made in 1987 include:

	STATUS
AAS to investigate Group Benefit Plan for artists.	•re-assess
AAS to rotate membership on the Committee for new ideas *	•recommendation for rotating membership
Rep.of AAS to sit on HECFI	•denied
City to fund Arts Umbrella/Council on per capita basis	•re-assess
Consider some Arts projects under long-term Capital funding	
Earmark for Arts consideration, 1% of Capital for new and renovated City Buildings	•answered through public art policy
User pay needs further study, may have negative impact	•re-assess on regular basis
Mid-size theatre for downtown	•{re-assess the need for this
Studio Theatre should be accessible for community groups	{
City to assist with performance facility for smaller groups	{
Handbook of Effective Arts Promotion	
Develop an A/V presentation on Hamilton Arts	•"Building with Music" © 1989

Changes in policies and practices are reflected in the attached Appendices as follows:

1) General Grants Policy - 1995 revision
2) Policy - Art in Public Places - 1992
3) Programme brochure of recreation centres' arts classes - 1996

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. (a) That approval be given to amended Zoning Application ZAC-96-15, 744457 Ontario Limited (Veteran Taxi), owners, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for Block "1" and a modification to the established "H" (Community Shopping and Commercial, etc.) District for Block "2", for property located south-west corner of King William Street and Wentworth Street North, known municipally as 488 King William Street and 15 Wentworth Street North, as shown on the attached map marked as Appendix "A", on the following basis:

   (i) That Block "1" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District;

   (ii) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following variances as special requirements:

      1) That notwithstanding Section 2.(2)(J.)(xiii) of Zoning By-law No. 6593, for the purposes of the by-law the "Lot-Line Front" shall be Wentworth Street North;

      2) That notwithstanding Section 14.(3)(ii)(a) of Zoning By-law No. 6593, a minimum side yard of 3.0 m shall be provided and maintained along the northerly lot line;

      3) That notwithstanding Section 14.(3)(iii)(c) of Zoning By-law No. 6593, a rear yard of a depth of at least 1.5 m shall be provided and maintained;

4) That notwithstanding Section 18(3)(vi)(b)(ii) of Zoning By-law No. 6593, a canopy shall not project into the required rear yard;

(iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1374, and that the subject lands on Zoning District Map E-13 be notated S - 1374;

(v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13 for presentation to City Council;

(vi) That the approved Lansdale Neighbourhood Plan be amended to redesignate the Block "1" from "Single & Double Residential" to "Commercial" upon finalization of the by-law;

(vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

(b) That the implementing By-law not be presented to City Council until such time as the properties known as 488 King William Street and 15 Wentworth Street North must be merged in title and the proof be submitted to the City Solicitor that the properties are held under single registered title;

(c) That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the lands identified as Block "2" to Schedule "A";

(d) That the City Solicitor be directed to prepare a By-law to amend By-law 79-275 to place the lands identified as Block "2" under Site Plan Control.

2. (a) That approval be given to Zoning Application ZAC-96-16, First Place Hamilton, owners, requesting a modification in zoning to the established "CR-3" (Commercial-Residential) District requirements for property located at 350-360 King Street West, to permit the conversion of the second floor of the existing building from commercial uses to 75 "retirement lifestyle" residential units (63 single bed units, 12 double bed units), as shown on the attached map marked as Appendix "B", on the following basis:

(i) That the "CR-3" (Commercial - Residential) District regulations, as contained in Section 15B. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements;

1) notwithstanding Section 15B.(3)(a) of Zoning By-law No. 6593, the following uses shall be permitted within the second floor of the existing building:

   a. a senior citizens facility containing a maximum of seventy-five (75) "housekeeping dwelling units";

   b. a dining room only in conjunction with a senior citizens facility;

2) notwithstanding Section 15B.(17)(b) of Zoning By-law No. 6593, the residential portion of a joint residential use and commercial use shall have a gross floor area of not more than 31,100 m^2 (334,757 sq.ft.) and a commercial gross floor area of not more than 6,055 m^2 (65,177 sq.ft.);

3) notwithstanding Subsections 15B.(18)(a)(i) and 15B.(18)(a)(ii) of Zoning By-law No. 6593, shall not apply for the purposes of calculating gross floor area;

4) notwithstanding Table 1 of Section 18A. of Zoning By-law No. 6593, a minimum of 1 parking space per 3 beds shall be required for a senior citizens facility containing not more that seventy-five (75) "housekeeping dwelling units".

5) for the purposes of the By-law, a senior citizens facility means a facility within which all residents are at least 60 years of age or older.

(ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1375, and that the subject lands on Zoning District Map E-13 be notated S - 1375;

(iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13 for presentation to City Council;

(iv) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

3. That approval be given to City Initiative 96-H, for a general text amendment to Zoning By-law No. 6593 to remove tallow rendering or other reducing plant as a

permitted use in the "K" (Heavy Industry, etc.) and "KK" (Restricted Heavy Industrial, etc.) Districts, on the following basis:

(i) That Section 2.(2)E.(vii) be amended by deleting the words "tallow rendering or other reducing or rendering plant" so the definition reads as follows:

> "**Animal By-Product Plant**" shall mean and include a gelatin or glue factory, a bone-meal factory, organic fertilizer plant, and any other plant or premises used for any such purpose";

(ii) That Section 16.(1)(xii)(c) be amended by deleting the words "within the meaning of The Public Health Act" so the clause reads as follows:

> "any other animals products manufacture which is an offensive manufacture."

(iii) That Section 17.(1)(vii) be amended by deleting the words "tallow rendering plant" so the clause reads as follows:

> "A slaughterhouse, tannery, glue factory, or any other factory for the manufacture of Animal Products;"

(iv) That Section 18.(1)(vi) be amended by deleting the words "within the meaning of The Public Health Act" so the clause reads as follows:

> "An animal by-products plant, an abattoir or slaughter house for other than the killing of rabbits or poultry, a tannery, and any other use which may be an offensive manufacture."

(v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council;

(vi) That the proposed modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

4. (a) That the Region by requested to approve the application by B.J. Clark, agent, to extend draft plan approval for "Battleridge" subdivision under Regional File No. 25T-76024 for a further one (1) year period to February 28, 1998.

(b) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.

5. (a) That no action be taken on Zoning Application 93-42 Ashok Kumar, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single-family dwellings in conjunction with lands to the west, for property located at the rear of No. 1094 Upper Sherman Avenue, shown on the attached map marked as Appendix "C",

(b) That staff of the Planning and Development Department be directed to close the file.

6. (a) That the request by John Parente, Solicitor for 822827 Ontario Inc., owner, to remove part-lot control be approved to establish maintenance easements for Lots 1 to 9 inclusive, and Lot 12 located in "Wisemount Estates - Phase 7" shown on the attached map marked as Appendix "D".

(b) That the appropriate by-law to remove part lot control from Lots 1 to 9 inclusive and Lot 12, Registered Plan 62M-794, "Wisemount Estates - Phase 7" plan of subdivision, effective until June 1, 1997, be enacted by Council;

(c) That following enactment of this by-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law.

7. That the list of vacant heritage buildings in Hamilton attached hereto and marked as Appendix "E" be forwarded to the Director, Economic Development Department; the General Manager of Housing and Loans, Building Department, the Downtown Initiatives Committee; and, the Downtown Partnership in order to identify and target buildings of importance to Hamilton which are worthy of preservation and adaptive re-use but potentially endangered.

8. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-12 By-law to Amend By-law No. 86-98 As Amended by By-laws No. 92-074 and 96-190 Respecting Members of the Board of Management of the Westdale Business Improvement Area.

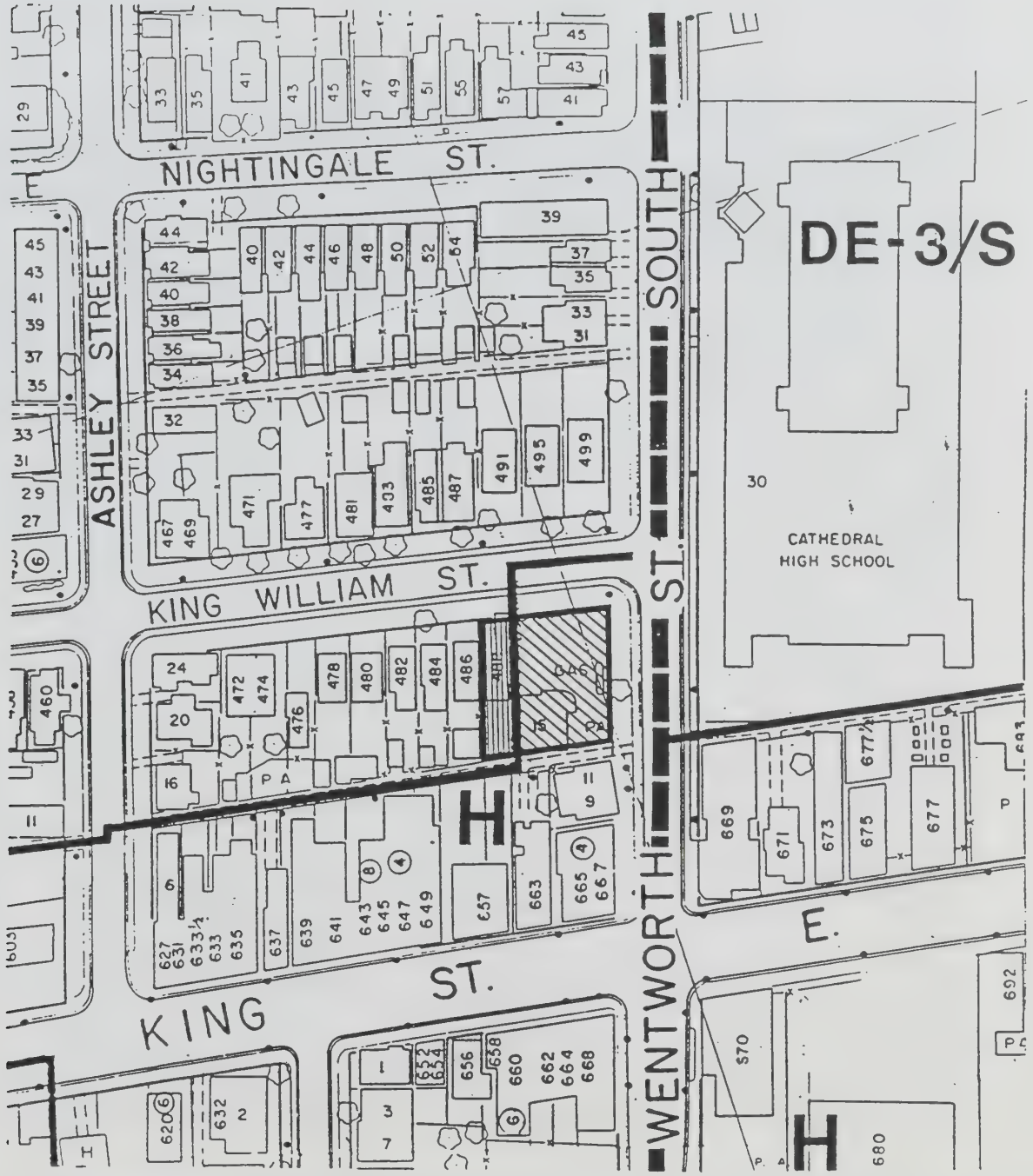
(b) C-13 By-law to Amend Zoning By-law 06593 Respecting Lands Located South of the Proposed Mountain Freeway and West Fifth Street and North of Chester Avenue.

(c) C-14 By-law to Remove Land within the "Wisemount Estates - Phase 7" Subdivision, Plan 62M-794 from Part Lot Control.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1997 February 19

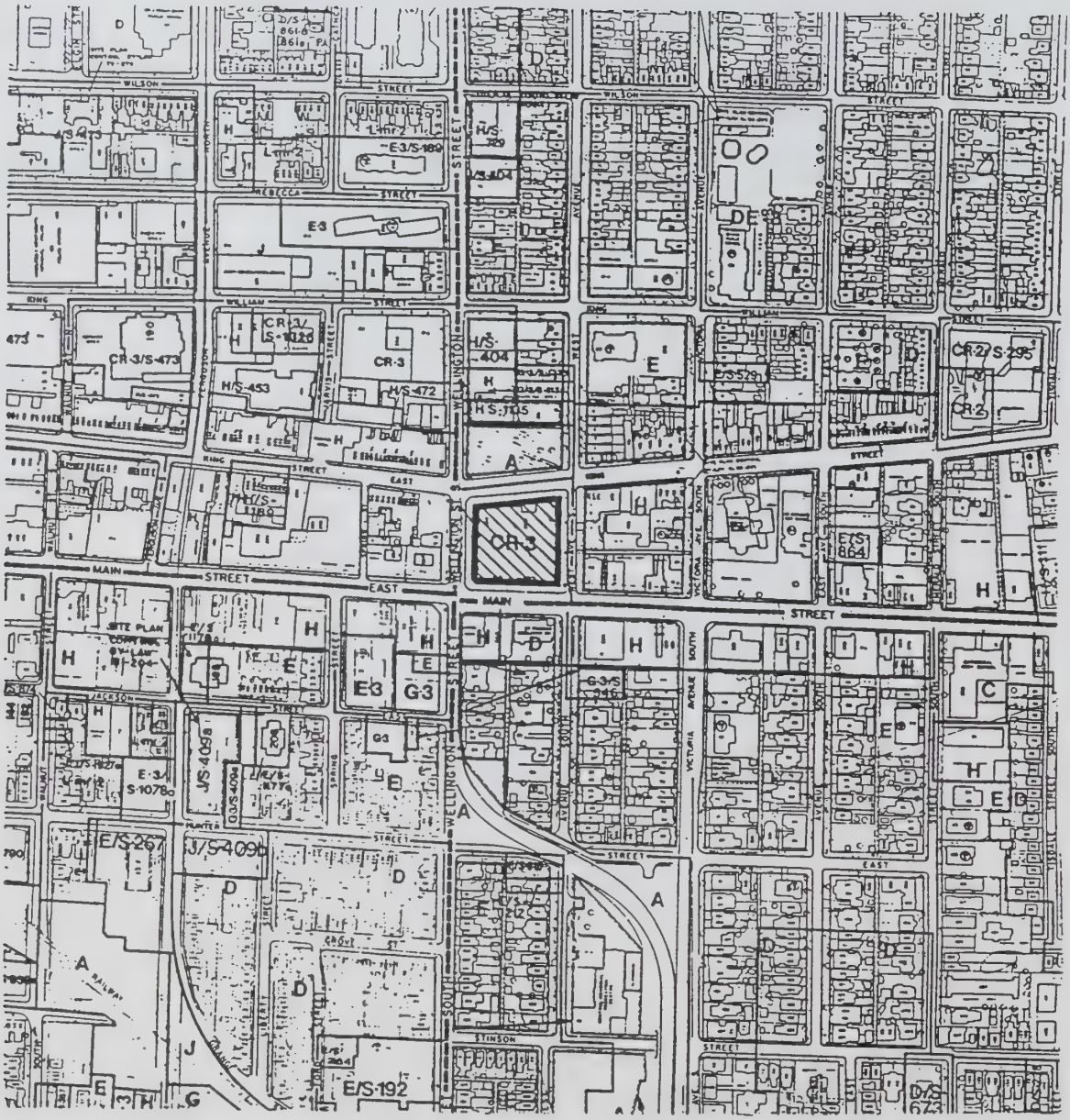


Legend

BLOCK 1 — Proposed change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, Modified.

BLOCK 2 — Proposed Modification to the Established "H" (Community shopping and Commercial etc.) District.

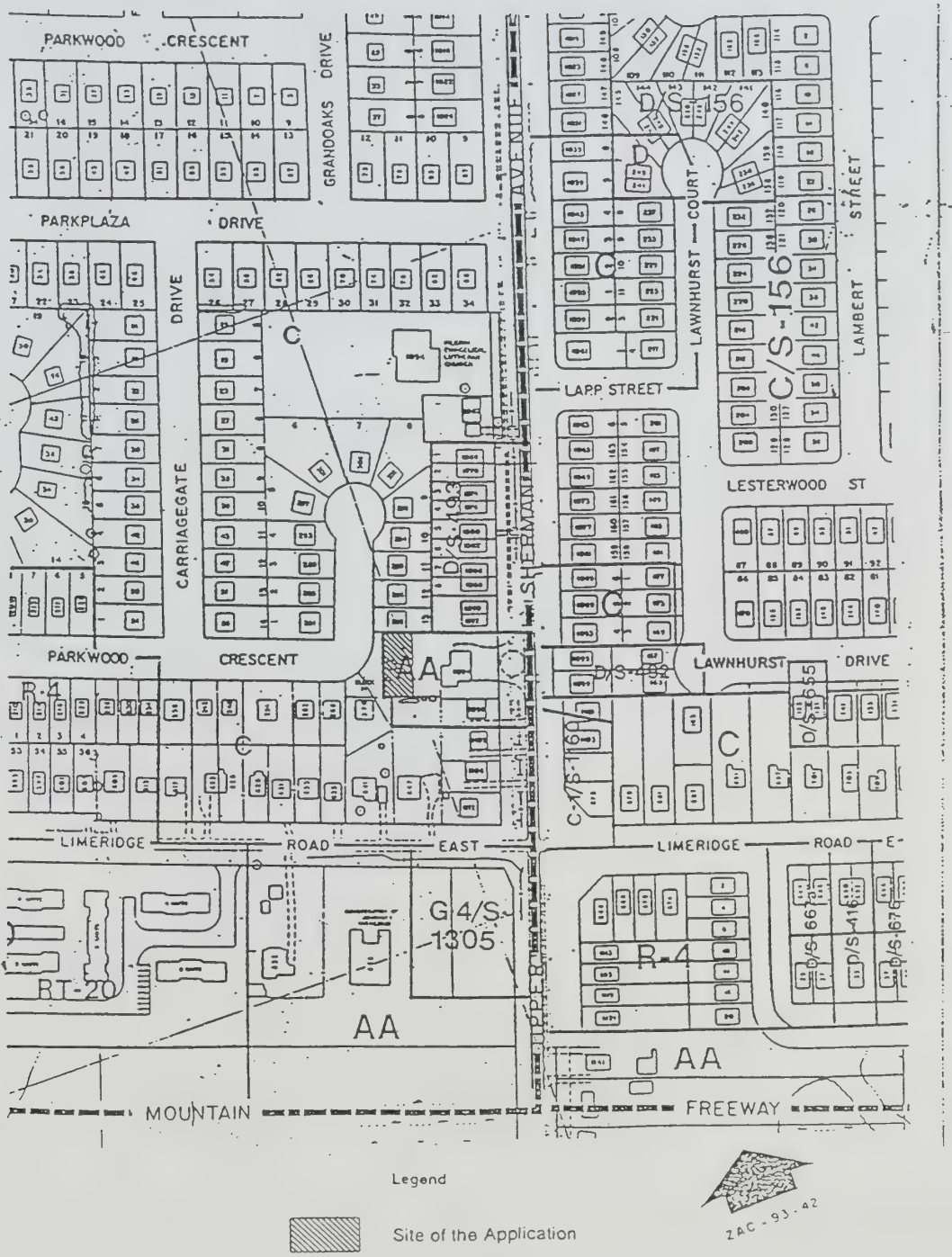
ZAC-96-15

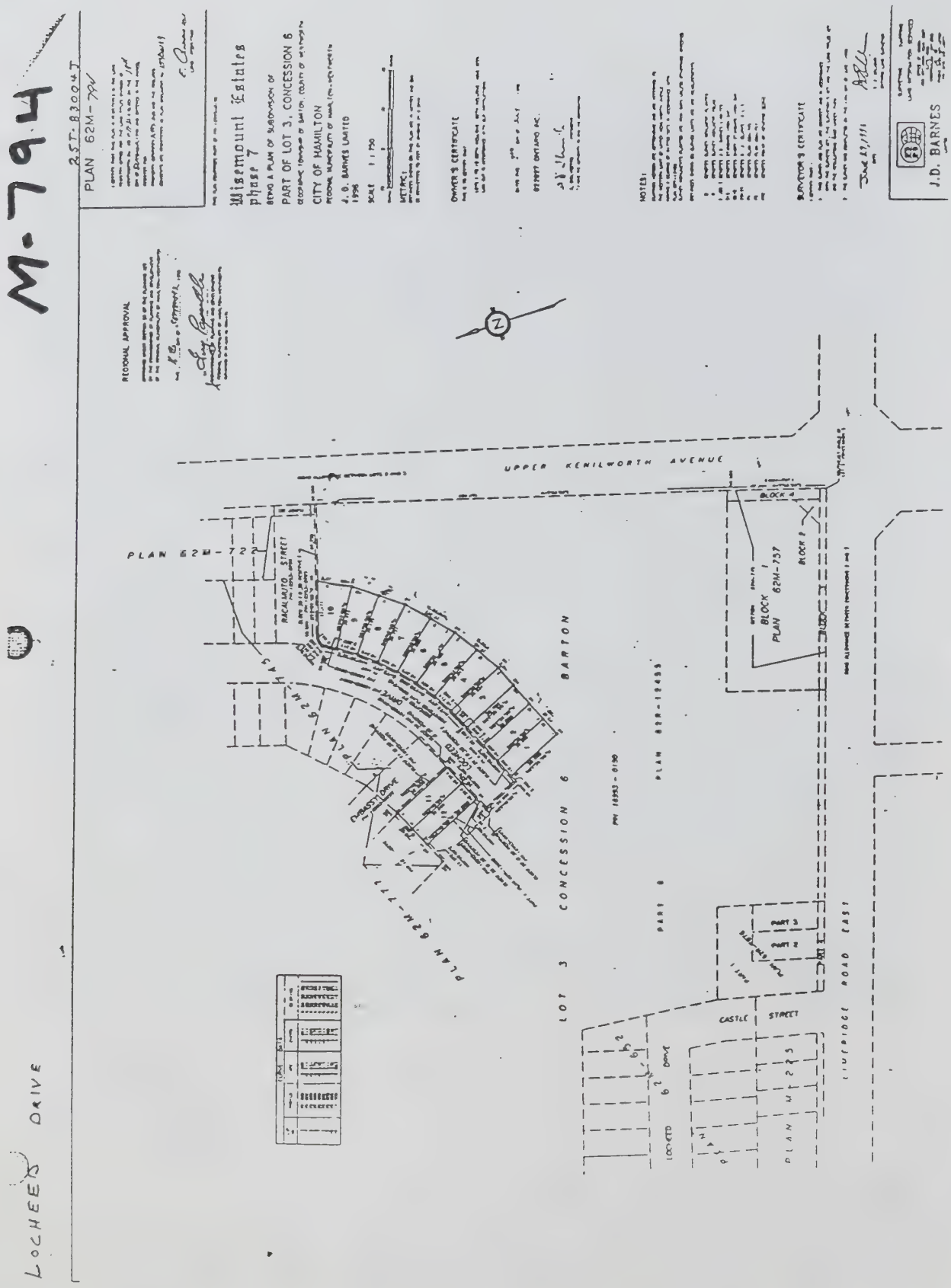


Legend

Site of the Application

ZAC-96-16


PARKWOOD CRESCENT
GRANDOAKS DRIVE
PARKPLAZA DRIVE
CARRIAGEGATE DRIVE
SHERBMANE AVENUE
LAWNHURST COURT
LAMBERT STREET
LAPP STREET
LESTERWOOD ST
LAWNHURST DRIVE
PARKWOOD CRESCENT
LIMERIDGE ROAD EAST
LIMERIDGE ROAD E
MOUNTAIN
FREEWAY
UPPER
D/S-156
C/S-156
D/S-193
D/S-492
D/S-655
C/S-116
G4/S-1305
D/S-667
D/S-416
D/S-676
R-1
R-4
RT-20
A
C
D
AA
Legend
Site of the Application
ZAC-93-42


M-794
25T-8309GT
PLAN 62M-794
Wilkmount Estates
phase 7
BEING A PLAN OF SUBDIVISION OF
PART OF LOT 3, CONCESSION 6
CITY OF HAMILTON
J.D. BARNES LIMITED
1996
SCALE 1:750
REGIONAL APPROVAL
OWNER'S CERTIFICATE
NOTES:
SURVEYOR'S CERTIFICATE
J.D. BARNES
UPPER KENILWORTH AVENUE
PLAN 62M-72
RACALMUTO STREET
CASTLEMORE DRIVE
PLAN 62M-737
BLOCK 1
PLAN 62M-737
BLOCK 2
PLAN 62M-737
PLAN 62M-773
LOT 3 CONCESSION 6 BARTON
PLAN 62R-10455
PART 1
PART 2
PART 3
CASTLE STREET
LOCHEES DRIVE
LOCATED
PLAN M-2225

Appendix "E" referred to in
Section 7 of the **THIRD** Report
of the Planning and Development
Committee for 1997

Vacant Heritage Buildings in Hamilton
February 1997

EXPLANATORY NOTE:

All of the buildings listed below are on the *Inventory of Buildings of Architectural and/or Historical Interest* for the City of Hamilton; some are also designated under the Ontario Heritage Act* and/or included on a list of *Landmark Buildings in the Downtown Core***. The following list includes two *designated* buildings which are not vacant but which are for sale or potentially for sale. Names of property owners are taken from the current City of Hamilton assessment records.

A. BUILDINGS IN THE DOWNTOWN CORE

1. *CN Station**/**, 360 James Street North - vacant and for sale; owner: Canadian National Railway Co.

2. *Tivoli Theatre**/**, 108-112 James Street North; partly vacant and potentially for sale; owner: Sniderman Radio Sales & Service Ltd.

3. Lister Block**/**, 28-44 James Street North - vacant (with adjoining building at 15-21 King William Street); owner: 810322 Ontario Ltd., c/o Metrus Properties Ltd.

4. *19-31 King Street East (former Woolworth's* building) - vacant and for sale; owner: 848276 Ontario Inc.; The Aragon Group (owner of *The Right House/ Park Place*) has made a conditional offer on the property

5. 81 King Street East (n.w. corner of John Street North) - vacant and for sale; owner: Samuel Sniderman

6. *Treble Hall***, 6-12 John Street North - largely vacant and for sale (with adjoining building at 85-87 King Street East); owner: Sarah Wertman

7. *Century Theatre*, 12 Mary Street - vacant; owner: unknown

8. Victoria Hall*/**, 68 King Street East and the *MacKay Building*, 66 King Street East (adjoining buildings) - vacant; owner: Grail Investments Ltd.
NOTE: Victoria Hall was declared a National Historic Site in 1995.

B. OTHER HERITAGE BUILDINGS

1. *Church of St. Thomas**, 16 West Ave. S. - vacant; former Anglican church closed in 1996; currently for sale by the Synod of the Diocese of Niagara

2. *St. Andrew's Church**, 109 Smith Ave. (originally *St. Andrew's Presbyterian Church*; most recently *St. Paul's Ecumenical Church*) - vacant; owner: Susan Fenwick (assessed as 384 Barton St. E.)

3. *St. Mark's Church**, 120 Bay Street South - vacant; former Anglican church now owned by the City of Hamilton

4. *Hamilton Conservatory of Music**, 126 James Street South - currently offices for social services agency, Alternatives for Youth; for sale; owner: A Y Alienated Youth of Canada

5. *Canadian Westinghouse Head Office Building**, 286 Sanford Avenue - vacant; owner: Westinghouse Canada Inc.

6. *Burlington Canal Lighthouse and Keeper's House**, 1159/ 1155 Beach Boulevard - vacant; owner: Public Works Canada

7. *Strathcona Fire Station*, 37-39 Strathcona Avenue North - vacant; owner: Hellenic Community of Hamilton and District

8. *Bellevue**, 14 Belvidere Avenue (single-family dwelling) - vacant; owner: Clair Sellens

9. 2717 King Street East (single-family dwelling) - vacant (early 19th century farmhouse built for United Empire Loyalist Samuel Nash); owner: Owen Jackson

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. That the 1997 invoice for $94,396. (plus GST) from GEAC in Mississauga (formerly Dunn and Bradstreet Software) be authorized for payment from Account CH 5609X - 26021 (User Software).

2. That the listing of Appointments to and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1997 February 6, attached herewith and marked Appendix "A", be approved.

3. (a) That the City Treasurer be directed to establish a Housing Reserve to be utilized by the Municipal Non-Profit (Hamilton) Housing Corporation and the Hamilton Housing Company Limited; and,

   (b) That the amount of $197,739.61, returned to the City by the Municipal Non-Profit (Hamilton) Housing Corporation be transferred to the above Reserve; and,

   (c) That the purchase of 207-209 King Street East by Hamilton Housing Company Limited for Downtown Revitalization, approved by the Board at its meeting of 1996 November 25, in the amount of $180,506.08 be funded from the Housing Reserve; and,

   (d) That $58,415 be transferred to the Reserve for Hosting of Special Dignitaries, (00128) from the Reserve for Hosting Conferences - Municipal Content (00126); and,

   (e) That $35,000 of the Current Budget Surplus be transferred to the Reserve for Hosting Special Dignitaries (00128) for 1997; and,

   (f) That the balance of the Current Budget Surplus (estimated at $947,000) be transferred to the Reserve for Tax Stabilization,(00135); and,

(g) That the accrual of outstanding Vacation Pay ($3,670,204.03) related to Employees hired prior to 1980 be financed from the Reserve for Tax Stabilization - Working Fund Reserve (00135); and,

(h) That the accrual for outstanding Vacation Pay ($1,942,065.38) for employee's vacation earned from their anniversary date to the end of the year be financed from the Reserve for Tax Stabilization - Working Fund (00135).

4. That the Statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1996, attached herewith and marked Appendix "B", be received by City Council.

5. That Section 21 of the Tenth Report of the Finance and Administration Committee approved by City Council on 1996 May 14, with respect to the award of a Purchase Order for the construction of an uninterruptable power supply system for Information Systems be rescinded.

6. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 337-339 York Boulevard
(ii) 71 Horning Drive
(iii) 226-1/2 Grosvenor Avenue

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law.

7. (a) That the following four qualified Vendors be approved for the supply and delivery of Hewlett Packard Pentium PC Desktop Computers for a one year period to 1998 March 31:

(i) 4 Office Automation, Burlington
(ii) JMG, Hamilton
(iii) GE Capital, Mississauga
(iv) Telecom, Burlington

(b) That the Purchasing Manager (or Designate) obtain monthly quotations from the above qualified companies for each following month's requirements and, all other factors being equal, choose the lowest quoting company to fill that month's requirements; and,

(c) That funding be provided from Account # CH56605-26032 (Workstation Leasing)

8. That Western Management Consultants be retained for a cost of up to $25,000 to provide technical and management services to assist with the implementation of the recommendations from the "Operational Review of the Information Systems Department" by LGS Group Inc., 1996 September.

9. That a By-law to amend By-law No. 90-198 respecting Fireworks be enacted by City Council.

10. (a) That the City of Hamilton host a reception for the Hamilton International Air Show on Friday, 1997 June 13th, at a cost of $5,000; and,

(b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH 55314 84010.

11. (a) That Section 17 of the First report of the Finance and Administration Committee which was approved by City Council on 1997 January 28, be amended to provide for an extension of the due date for the second pre-levy instalment of 1997 realty taxes from 1997 March 31 to 1997 April 1; and,

(b) That the City Solicitor be authorized and directed to prepare an amendment to the Tax Levy By-Law 71-69 to provide for this change for the year 1997 only.

12. (a) That the City resolve Ontario Court (General Division) Action # 8860/95 by the payment to the Plaintiff, Beatrice Cole, of the sum of $27,000 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff, Beatrice Cole, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action # 8860/95 be dismissed without costs.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-6 A By-law to Amend By-law No. 95-18 and By-law No. 95-090 to Authorize a Transfer of Debenture Proceeds.

(b) D-7 A By-law to Amend By-law No. 90-198 respecting Fireworks.

(c) D-8 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1997 February 18

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Margaret Violin	I	Accounting Clerk	H.E.C.F.I.	Replacing Mr. J. Whitwell – resigned, Nov. 29/96	$31,563.48 to $37,117.60	Jan. 01/97

Prepared February 6, 1997

Status –

Internal – I
External – E

Appendix "A" referred to in Section 2 of the **THIRD** Report of the Finance and Administration Committee for 1997

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Melissa Farr	Invoice Checking Clerk	Treasury	Resigned	5 years, 6 months	Dec. 31/96
Mr. Donald Patterson	Curatorial Assistant Dundurn Castle	Culture & Recreation	Terminated	18 years, 11 months	Dec. 27/96

Prepared February 6, 1997

Glossary of Terms

Terminated – long term disability
– discharge
– downsizing
– redundant

Resigned – personal betterment
– personal reasons

Appendix "B" referred to in Section 4 of the **THIRD** Report of the Finance and Administration Committee for 1997

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) **Members of Council**

	Salary*
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	20,492.68
Collins, C.	20,492.68
Charters, R.	20,492.68
Copps, G.	20,492.68
D'Amico, F.	20,492.68
Drury, D.	20,492.68
Eisenberger, F.	20,492.68
Jackson, T.	20,492.68
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	20,492.68
	$393,459.04

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the Municipal Act.

b) Committee of Adjustment

Member	Honorarium
Dudzic, M.	$2,100.00
Serwatuk, D.	2,100.00
Begg, E.	2,100.00
Law, B.	2,600.00
Cutler, R.	2,100.00
	$11,000.00

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	$ 900.00
Clothier, R.	600.00
Cooper, H.	1,200.00
Gibson, D.	700.00
Green, R.	500.00
Groves, L.	500.00
Hardie, D.	1,200.00
Holms. M.	900.00
Kaut, H.	1,000.00
Korz, G.	1,250.00
Langdon, D.	300.00
MacIntyre, D.	1,200.00
Penko, G.	1,000.00
Reilly, M.	500.00
Taffs, R.	700.00
VanDerbeek, P.	1,800.00
Woodrow, B.	900.00
Warner, S.	100.00
	$15,250.00

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agro, V. J.	2,038.51
Anderson, T.	1,994.32
Caplan, M.	2,828.20
Charters, R.	2,063.33
Collins, C.	2,146.27
Copps, G.	nil
D'Amico, F.	1,413.36
Drury, D.	1,971.85
Eisenberger, F.	2,266.18
Jackson, T.	244.26**
Kiss, M.	244.26**
McCulloch, W.	244.26**
Merling, H.	244.26**
Morelli, B.	244.26**
Morrow, R.	26,033.84
Ross, D.	3,564.78
Wilson, D.	244.26**
	$47,786.20

**telephone allowance only

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1996

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act, R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Honorarium
Down, G.	$319.75
Rogers, P.	601.46
Kamath, R.	1,787.66
	$2,708.87

(c) H.E.C.F.I. Appointees

Alderman T. Anderson	$1,798.84

(d) Parking Authority Appointees

Alderman V. Agro	$642.36

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1997 and respectfully recommends:

1. That the Cab Driver Licence Renewal Application of Robert George Fennell be denied.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRPERSON
LICENSING COMMITTEE

Stella Glover
Secretary
1997 February 12

1997 February 25

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. That Alderman _____ be appointed Chairman of the Committee of the Whole for the period of March, April and May, 1997.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE

J.J. Schatz, Secretary
1997 February 25

JJS/dg

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 FEBRUARY 25
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 86-98
As Amended by By-laws No. 92-074 and 96-190

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE WESTDALE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-074, passed on the 10th day of March 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-98;

AND WHEREAS By-law No. 96-190, passed on the 12th day of November 1996 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 96-190;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 5 of the 2nd Report of the Planning and Development Committee at its meeting held on the 11th day of February 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

Bill No. C-12

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 86-98
As Amended by By-laws No. 92-074 and 96-190

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE WESTDALE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-074, passed on the 10th day of March 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-98;

AND WHEREAS By-law No. 96-190, passed on the 12th day of November 1996 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 96-190;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 5 of the 2nd Report of the Planning and Development Committee at its meeting held on the 11th day of February 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

D. Upsdell	Westdale Jewellers Ltd.
S. Snider	The Picture Frame
M. B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoes Ltd.
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
C. Gerrie	Journey to the East
K. Patterson	Oddities II
D. Thorne	Truth
B. Davison	Design House Inc.
J. Mouskos	New Village Restaurant

3. By-law No. 96-190 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-98, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 2 R.P.D.C. 5, February 11

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED SOUTH OF THE PROPOSED MOUNTAIN FREEWAY AND WEST OF WEST FIFTH STREET AND NORTH OF CHESTER AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "**AA**" (Agricultural) District to "**R-4**" (Small Lot Single Family Dwelling) District, the land comprised in Blocks 1, 3 and 9;

(b) by changing from "**AA**" (Agricultural) District to "**DE**" (Low Density Multiple Dwellings) District, the land comprised in Block 2;

(c) by changing from "**AA**" (Agricultural) District to "**C**" (Urban Protected Residential, etc.) District, the land comprised in Blocks 4, 10 and 11; and

(d) by changing from "**AA**" (Agricultural) District to "**R-4**" (Small Lot Single Family Dwelling) District, the land comprised in Blocks 5, 6, 7 and 8,

the extent and boundaries of each of which Blocks 1 to 11, inclusive, are shown on a plan hereto annexed as Schedule "A".

2. The "DE" (Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the land comprised in Block 2, are amended to the extent only of the special requirements that,

(a) notwithstanding Section 10A.(1) of Zoning By-law No. 6593, only the following use shall be permitted:

1) a quattroplex dwelling;

(b) notwithstanding Section 10A.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2.0 storeys in height;

(c) notwithstanding Section 10A.(3) of Zoning By-law No. 6593, the following shall apply:

1) Minimum Front Yard

a) A front yard of a depth of at least 16.0 m;

b) For a through lot where the private outdoor amenity area is provided in the front yard, a front yard depth of at least 11.0 m;

c) For a through lot where the private outdoor amenity area is provided in the side yard, a front yard depth of at least 6.0 m; and,

d) For a through lot where a garage faces a front yard, the minimum setback to the front of the garage shall be 6.0 m;

2) Minimum Rear Yard

a) A rear yard of a depth of at least 6.0 metres;

3) Minimum Side Yard

a) For the two dwelling units closest to the front lot line, a minimum side yard along each side lot line, of a width of at least 3.0 m;

b) For the two dwelling units closest to the rear lot line, a minimum side yard along each side lot line, of a width of at least 1.2 m;

c) For a through lot a minimum side yard along each side lot line of a width of at least 1.2 m;

(d) That notwithstanding Section 10A.(4) of Zoning By-law No. 6593, the following shall apply:

1) each quattroplex dwelling on a lot shall have a lot area not less than 800.0 m^2 and a width of not less than 20.0 m; and,

2) each quattroplex dwelling on a through lot shall have a lot area not less than 880.0 m^2 and a width of not less than 22.0 m;

(e) That notwithstanding Section 10A.(5) of Zoning By-law No. 6593, the following shall apply:

1) not less than 45% of the area of the lot shall be used for landscaped area;

2) each dwelling unit shall be provided with a private outdoor amenity area; and,

3) an externally accessible storage shed, having a minimum gross floor area of 2.0 m^2 and a maximum height of 2.25 m, shall be incorporated into the amenity area for each dwelling if no garage is provided.

(f) That in addition to the requirements of Section 18A. of Zoning By-law No. 6593, the following shall apply:

1) Each dwelling unit in a quattroplex dwelling shall be provided with a minimum of two parking spaces;

2) The required parking spaces for each dwelling unit may be stacked;

3) A parking space shall be a rectangular area having a minimum, unobstructed width of 2.7 m and a minimum unobstructed length of 5.4 m;

4) For interior lots each parking area shall be provided with bumpers or wheel barriers to prevent physical encroachment beyond the parking area except at the entrance to and exit from the parking area;

5) The minimum width of a driveway shall be 2.8 m and the maximum width shall be 5.5 m;

6) The maximum number of driveways on a lot shall not exceed 4;

7) No driveway shall be located closer that 0.8 m to another driveway and no closer than 0.4 m to a side lot line;

8) Section 18.(14) of Zoning By-law No. 6593 shall not apply; and,

9) Section 18A.(14a) of Zoning By-law No. 6593 shall not apply;

(g) Notwithstanding Section 18.(3)(d) of Zoning By-law No. 6593, the following provisions shall apply:

1) A roofed-over but otherwise unenclosed porch may project a maximum of 2.0 m into the front yard;

2) A roofed-over but otherwise unenclosed porch for the two dwelling units closest to the rear lot line shall be permitted in the side yard provided that the porch is located a minimum of 1.2 m from the side lot line;

(h) For the purpose of Section 2.(a) 1) of this By-law, the following shall apply:

1) **Dwelling, Quattroplex** shall mean a building not more than one single family dwelling in height, designed to contain four dwelling units, attached to each other, side by side, in two rows arranged back to back and in substantial harmony with each other, each of which dwelling units,

(a) has a separate front entrance; and

(b) is joined on one side by a party wall to another dwelling unit in the same row; and

(c) is joined by a common vertical back wall;

(i) For the purpose of Section 2.(c) 3) e) of this By-law, the following provisions shall apply:

1) **Private Outdoor Amenity Area** shall mean a landscaped open space area abutting a dwelling unit, having a minimum area of 30.0 square metres, excluding any area occupied by an accessory shed, and a minimum width and depth of 4.5 metres, which may be located in any yard provided it is a minimum distance of 11.0 metres from the front lot line, and a minimum distance of 5.5 metres from any street for a through lot; and,

2) The private amenity outdoor area for each dwelling unit shall be enclosed by a visual barrier having a minimum height of 1.8 metres and a maximum height of 2.0 metres;

(j) That notwithstanding Section 18.(4)(iv) of Zoning By-law No. 6593, the following shall apply:

1) An accessory shed is permitted in any required yard, provided that the accessory shed is located in the Private Outdoor Amenity Area and is a minimum of 0.45 m from the side lot line and rear lot line.

(k) That notwithstanding Section 6.(19) of Zoning By-law No. 6593, the following shall apply:

1) Notwithstanding any other provision of this By-law, no residential structure be located closer than 17.5 m from the Mountain Freeway right-of-way; and,

2) Notwithstanding any other provision of this By-law, no structure shall be located within 10 m of the limits of the Mountain Freeway;

3. That the "R-4" (Small Lot Single Family Dwelling) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 5, 6, 7 and 8, be modified to include the following variances as special requirements:

a) That notwithstanding Section 9A(1) of Zoning By-law No. 6593, only the following use shall be permitted:

1) A single family dwelling;

b) That notwithstanding Section 9A.(2)(a) of Zoning By-law No. 6593, the following shall apply:

1) No building or portion of a building shall exceed 1 storey and 4.5 metres in height for that portion of the building located within 3.5 metres or less of any rear lot line;

c) That notwithstanding Section 9A.(2)(b)(1)(i) of Zoning By-law No. 6593, the following shall apply:

1) A front yard having a depth of not less than 3.5 m to the main wall of the dwelling;

2) A front yard having a depth of not less than 7.0 m to the garage or carport where the lot fronts onto a road allowance that is less than 20.0 m in width;

d) That notwithstanding Section 18A.(1)(e) of Zoning By-law No. 6593, a manouvering space having an unobstructed width of 2.7 m and a minimum unobstructed length of 7.0 m shall be provided and maintained;

e) That in addition to the requirements of Section 9A.(2)(b)(1)(iv) of Zoning By-law No. 6593, the following shall apply:

1) A minimum landscaped open space area of 41 m^2 having a minimum width of 5.50 m and a minimum depth of 6.0 m shall be provided and maintained in the rear yard;

f) That notwithstanding Section 9A.(2)(c) of Zoning By-law No. 6593, the following shall apply:

1) No interior lot for a single family dwelling shall have a lot area of less than 220 m^2 or a lot width of less than 11.0 m;

2) No corner lot for a single family dwelling shall have a lot area of less than 220 m^2 or a lot width of less than 12.0 m;

g) That a visual barrier of not less that 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the rear and side lot line and side lot line where it abuts the rear yard;

h) No door, window or other opening shall be permitted in the wall of a dwelling where the wall is within 3.5 m or less, of the rear yard landscaped area of an abutting property and faces said rear yard landscaped area;

i) That notwithstanding Sections 18.(4)(i) and 18.(13) of Zoning By-law No. 6593, no accessory building or structure shall be permitted.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District and "R-4" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1371.

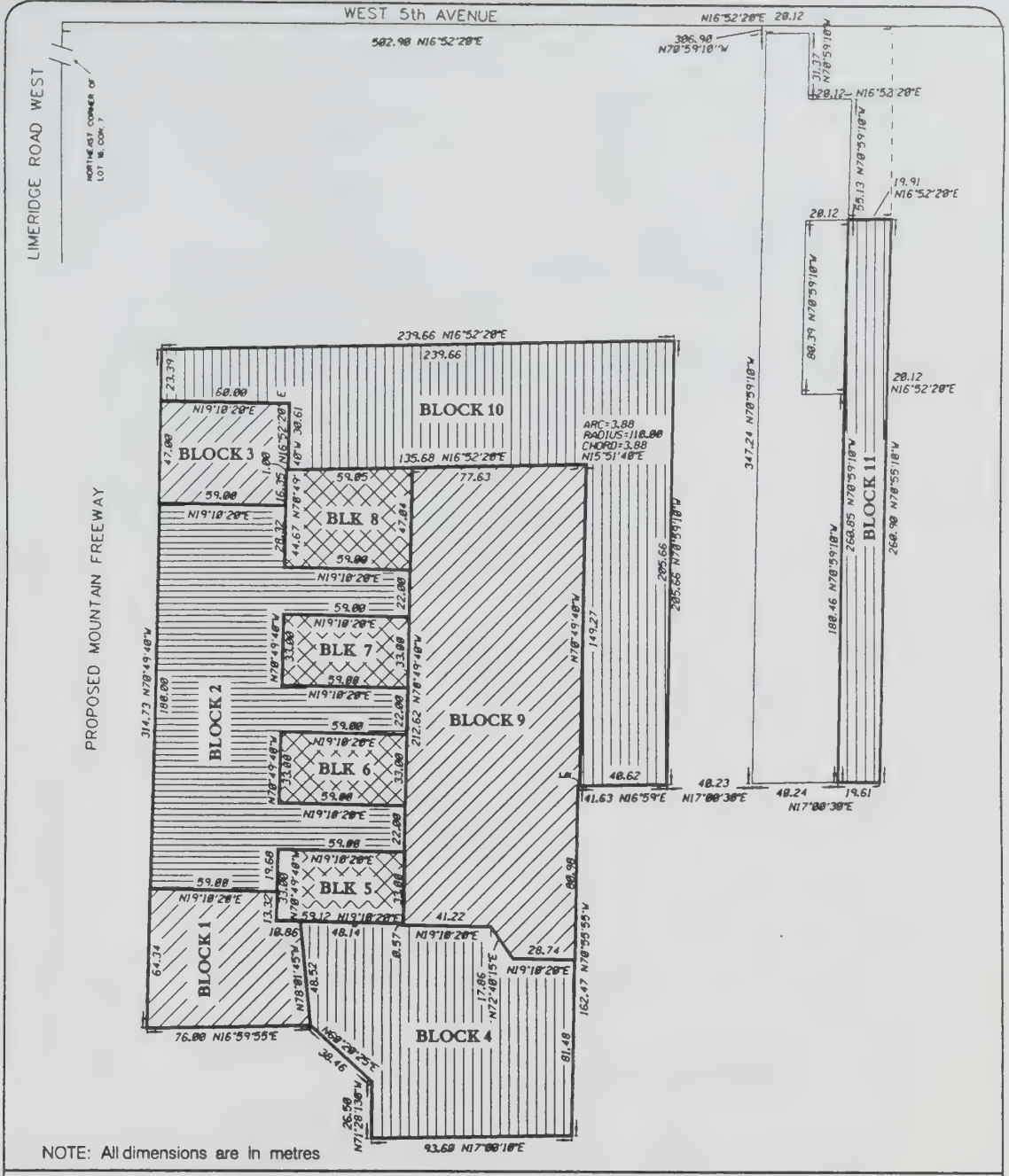
6. Sheet No. W-17B of the District Maps is amended by marking the lands referred to in section 1.(b) and (d) of this by-law, S-1371.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1996) 16 R.P.D.C. 2.B., October 8
Starward Homes Ltd. & Ward Campbell/Brian Morison, Owners
ZAC-94-32



This is Schedule "A" to By-Law No. 97-.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 97-____

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from "AA"(Agricultural) District to:

Blocks 1,3,9
"R-4" (Small Lot Single Family Dwelling) District

Block 2
"DE" (Multiple Dwellings) District, modified

Blocks 4,10,11
"C"(Urban Protected Residential, etc.)District

Blocks 5, 6,7,8
"R-4"(Small Lot Single Family Dwelling)District,modified

North

Scale	Reference File No.
NOT TO SCALE	ZAC-94-32
Date	Drawn By
Jan. 1997	Jason Moores

Bill No. C-14

The Corporation of the City of Hamilton

BY-LAW NO. 97—

To Remove
Land within the "Wisemount Estates - Phase 7" Subdivision, Plan 62M-794
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law. --** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval. --** An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law. --** A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period. --** The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal. --** The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

Lots 1 to 9 inclusive and Lot 12 within Registered Plan Number 62M-794, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton–Wentworth.

(b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

(c) This By-law shall expire on June 1, 1997.

PASSED this day of A.D. 1997.

City Clerk Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend

By-law No. 95-18 and By-law No. 95-090

To Authorize

A TRANSFER OF DEBENTURE PROCEEDS

WHEREAS the Co-Generation Project was approved as a Canada/ Ontario Infrastructure Project;

AND WHEREAS the Co-Generation Project was approved by By-law No. 95-18 at a debenture amount of $2,021,500.00;

AND WHEREAS the debenture portion of the Co-Generation Project was increased to $3,685,500.00 by By-law No. 95-090;

AND WHEREAS the debentures previously authorized by Council have not been sold;

AND WHEREAS City Council, on January 30, 1996, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized a reduction of the Co-Generation Project funding and a transfer of $400,000.00 from the Co-Generation Project to the Creative Playstructure Project;

AND WHEREAS City Council, on February 27, 1996, in adopting Section 7 of the 2nd Report of the Committee of the Whole authorized a further reduction of the Co-Generation funding, a transfer of the funds to the projects listed on Schedule "A", and a cancellation of $366,667 of the previously approved debenture funding;

1. The City Treasurer is hereby authorized to transfer $2,054,833.00 from the Co-Generation Project to the projects listed on Schedule "A".

2. The City Treasurer is further authorized to reduce the Co-Generation Debenture authorization by $366,667.00, representing the additional projects funded by the Reserve for Debt Charges.

3. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this 25th day of February A.D., 1997

CITY CLERK MAYOR

SCHEDULE "A"

	Project	Gross Cost	Federal & Provincial Subsidies	Debenture Amount	Term of Debenture
2)	City Hall - Replace Existing Chillers & Associated Equipment	$ 340,000	$ 226,667	$ 113,333	20 years
4)	Renovate the Fire Station at Woodward and Melvin	$ 200,000	$ 133,333	$ 66,667	20 years
6)	Playstructure Redevelopment	$ 300,000	$ 200,000	$ 100,000	20 years
7)	Roadway & Sidewalk Reconstruction	$4,124,500	$2,749,667	$1,374,833	20 years
	Creative Playground	$ 400,000	0	$ 400,000	20 years
				$2,054,833	

The Corporation of the City of Hamilton

By-law No. 97-

To Amend

By-law No. 90-198

Respecting:

FIREWORKS

WHEREAS By-law No. 90-198 was enacted on June 26, 1990 to regulate the sale and setting off of family fireworks;

AND WHEREAS Council, on February 25, 1997, in adopting Section 9 of the Third Report of the Finance and Administration Committee, authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 7, subsection (1) of By-law No. 90-198 is repealed and replaced with the following:

   (1) "No person shall set off family fireworks except on Victoria Day, Canada Day and the day preceding and following Victoria Day and Canada Day."

2. Section 29 of By-law No. 90-198 is repealed and replaced by the following:

   29. Every person who contravenes any provision of this By-law is guilty of an offence, and upon conviction, is liable to the penalties specified by Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended

PASSED this 25th day of February A.D., 1997

CITY CLERK MAYOR

BY-LAW NO. 97 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF FEBRUARY A.D., 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of February A.D. 1997

CITY CLERK MAYOR

URBAN\MUNICIPAL
CA4 ON HBL A05
A31
1997

URBAN MUNICIPAL
MAR 10 1997
GOVERNMENT DOCUMENTS

MEETING OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1997 March 11
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz,
City Clerk

A G E N D A

1. National Anthem.

2. Opening Prayer.

3. Presentations:
Certificates of Recognition:

(a) David Beland - Hamilton Historical Board
(b) Gary Ostofi - Mayor's Committee Against Racism and Discrimination
(c) Walter Peace - Hamilton Historical Board
(d) Marvin Ryder - Hamilton Entertainment & Convention Facilities Inc.

1996 Keep Hamilton Blooming Programme

(e) Sam Dinning - Lafarge Canada Inc.
(f) Stan Genno - CHML 900/Y95
(g) Jim Vanderkooy - Hamilton & District Christian High School
(h) Cor Vanderdruk, Connon Nurseries

4. Adoption of the minutes of the following meetings held:

(a) 1997 February 25 (regular meeting)
(b) 1997 February 28 (special meeting)
(c) 1997 March 3 (special meeting)

5. Correspondence.

6. ***Reports of the Standing Committees:***

   (a) Transport and Environment Committee
   (c) Planning and Development Committee
   (d) Finance and Administration Committee

7. ***Notices of Motion for next meeting.***

8. ***Question Period.***

9. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1997 February 25
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was played.

* * * * * * * * * * * *

Father Alois Justen, St. Boniface Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1997 February 11 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow presented a Certificate of Recognition to Sharon Titian for her work with abused women and children in Ghana.

* * * * * * * * *

Mayor R. Morrow recognized The Player's Guild for donating the land which will be used by the Hamilton Habitat for Humanity. In attendance was Trevor McAnuff, President, Hamilton Habitat for Humanity; Norm Westbury, Chairman; and Margaret Houghton, Business Manager.

* * * * * * * * *

Mr. Ric Robertshaw, The President of the Canadian Public Works Association recognized Joe Pavelka and Charlie Guthro for chairing the Co-ordinating Committee for Hamilton to successfully host the 1996 CPWA Conference and Exposition.

CORRESPONDENCE

1. Application dated 1997 February 12 from A. DiSilvestro, 161 Rebecca Street, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential etc.) District to "R-4" (Small Lot Single Family Dwelling) District for Block "1" and for a further modification to the "B-2" (Suburban Residential) District for Block "2" for property east of Springside Dr. south of Jacqueline Blvd., and west of the proposed extension of Upper Wellington Street/Mount Hamilton Cemetery.

   Received.

2. Application dated 1997 February 11 from Fiore and Vally Manganiello, 93 Country Club Drive, Hamilton, Ontario for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "DE-2" (Multiple Dwellings) District modified for 87-95 Wellington St. N. and 216 Wilson Street, Hamilton, Ontario.

   Received.

3. Application dated 1997 February 13 from 822827 Ontario Inc., c/o Agro, Zaffiro, et al, for changes in zoning from "DE-2" (Multiple Dwellings) District and "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District and "R-4" (Small Lot Single Family Dwellings) District for lands located West of Upper Kenilworth Avenue and North of Limeridge Road East, Hamilton; and application for a revision to Draft Plan Approved Subdivision 25T-83004(R) "Wisemount Estates Phase 9 and 10 for 67 Street Townhouses.

   Received.

4. Letter dated February 24, 1997 from David R. Simpson, 99 Bond Street South, Hamilton respecting proposed hazardous and liquid waste at 97 Frid Street, Hamilton.

Referred to the Transport and Environment Committee.

5. Letter dated February 21, 1997 from Alderman B. Morelli advising that he is unable to serve on the Hamilton Health Sciences Board effective immediately.

Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, the Nominating Committee, and the Committee of the Whole be considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

PARKS AND RECREATION COMMITTEE - SECOND REPORT

Section 4 Re: Concessionairs at the Hamilton Civic Golf Courses - sale of alcoholic beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, D'Amico, Ross. -15

NAYS: Aldermen Jackson, Anderson. -2. **CARRIED.**

* * * * * * * * * *

Section 5 Re: 1 Spruceside Avenue - not declared surplus

It was moved by Alderman Wilson and seconded by Alderman Charters that Section 5 of the Second Report of the Parks and Recreation Committee for 1997 be referred back to the Finance and Administration Committee. **CARRIED.**

* * * * * * * * * *

Section 7 Re: Contract for concession services at King's Forest Golf Course

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Section 7 of the Second Report of the Parks and Recreation Committee for 1997 be referred back. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - THIRD REPORT

FINANCE & ADMINISTRATION COMMITTEE - THIRD REPORT

Re: Rule No. 9 respecting surplus property for 606 Aberdeen Avenue

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a motion respecting the declaration of surplus property for property at 606 Aberdeen Avenue. **CARRIED.**

* * * * * *

It was moved by Alderman Charters and seconded by Alderman Jackson that the following property be added as Sub-Section (a)(iv) of Section 6 of the Third Report for 1997 of the Finance and Administration Committee:

(iv) 606 Aberdeen Avenue **CARRIED.**

* * * * * * * * * * * *

Re: Rule No. 9 respecting Bill D-9: A By-law to amend By-law No. 94-189 consolidating By-law No. 71-69 respecting the second pre-levy instalment due date.

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a bill to amend By-law No. 94-189 respecting the second pre-levy instalment due date. **CARRIED.**

* * * * * *

Re: Bill D-9: A By-law to amend By-law No. 94-189 consolidating By-law No. 71-69 respecting the second pre-levy instalment due date.

It was moved by Alderman Charters and seconded by Alderman Jackson that the following bill be added as sub-section (d) of Section 13 of the Third Report for 1997 of the Finance and Administration Committee:

(d) D-9 A By-law to amend By-law No. 94-189 consolidating By-law No. 71-69 respecting the second pre-levy instalment due date. **CARRIED.**

* * * * * * * * * * * *

Re: Rule No. 9 Single Tier Administrative Review Steering Committee

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a recommendation from the Single Tier Administrative Review Steering Committee respecting shared services for finance and administration. **CARRIED.**

* * * * * *

Section 14 Re: Single Tier Administrative Review Steering Committee

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 14 of the Third Report for 1997 of the Finance and Administration Committee:

(a) That the report entitled "Shared Services for Finance and Administration - Phase II Report" as prepared by Price Waterhouse Consultants, which was previously circulated to members of City Council and available from the Secretary of the Single Tier Administrative Review Steering Committee, be received; and,

(b) That the City of Hamilton be invited to prepare a proposal for the provision of shared financial transaction services to the Region of Hamilton-Wentworth. **CARRIED.**

LICENSING COMMITTEE - FIRST REPORT

NOMINATING COMMITTEE - SECOND REPORT

COMMITTEE OF THE WHOLE - FIRST REPORT

Section 1 Re: User Fees

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 16.

NAYS: Mayor Morrow. -1. **CARRIED.**

* * * * * * * * *

Section 2 Re: Bill 84

It was moved by Alderman Wilson and seconded by Alderman Ross that the following be added as Section 2 of the Committee of the Whole for 1997:

2. That the Legislature of the Province of Ontario be requested to hold public hearings in the City of Hamilton on Bill 84. **CARRIED.**

RESOLUTION

Withdrawing of support to the N.H.L. Franchise

Re: Rule No. 9 - N.H.L. Franchise

It was moved by Alderman Jackson and seconded by Alderman Wilson that Rule No. 9 of Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the bid from the City of Hamilton re: NHL Franchise.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, D'Amico, Ross. -12.

NAYS: Aldermen Agro, McCulloch, Eisenberger, Merling, Anderson. -5.

CARRIED.

* * * * * *

Re: Withdrawing support for future games of the N.H.L.

That the people of the City of Hamilton be encouraged to withdraw their support for any future games in Toronto and Buffalo, involving those respective NHL franchises, as a demonstration against the most recent decision in February, 1997 by the NHL (through Commissioner Gary Bettman) to eliminate Hamilton's bid for an NHL franchise.

That this motion be forwarded to all municipalities throughout The Golden Horseshoe area with a population of 50,000 or more to request their support in this matter.

Recorded vote.

YEAS: Alderman Jackson. -1.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16

LOST.

ACTING MAYOR FOR THE MONTH OF MARCH, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman W. McCulloch be appointed Acting Mayor for the month of March, 1997. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, the Nominating Committee, the Committee of the Whole and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 8:35 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 February 25
JJS/dg

Minutes of the Special
City Council Meeting
Friday, 1997 February 28
3:45 o'clock p.m.
Council Chambers, City Hall

The Council met.

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Wilson and seconded by Alderman Ross that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7.
CARRIED.

COMMITTEE OF THE WHOLE - SECOND REPORT

Local Government Restructuring

Recorded vote on Section 1

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7.
CARRIED.

* * * * * * * * * * * *

Recorded vote on Section 2

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7. **CARRIED.**

* * * * * * * * * * * * *

It was moved by Alderman Anderson and seconded by Alderman Morelli that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 3:50 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1997 February 28
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That Hamilton City Council go on record as favouring the report prepared by M.P.P. Tony Skarica dated February 23, 1997 and rejects the recommendations of Parliamentary Assistant Hardeman with respect to the restructuring of municipal government in Hamilton-Wentworth, subject to the following conditions:

   (i) That the Red Hill Creek Expressway be funded on the basis of pooled equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook.

   (ii) That a transit system be operated and owned by the City of Hamilton.

   (iii) That the funding of health and social services, social housing and long term care be based on pool equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, and be administered by the City of Hamilton.

   (iv) That the City of Hamilton be designated as the coordinator for emergency preparedness on behalf of Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, based on pooled equalized assessment.

   (v) That all municipalities - Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook be responsible for all transition costs based on pooled equalized assessment.

   (vi) That this document in no way over-ride all rights conferred to municipalities by virtue of the provincial Municipal Act.

   (b) That the Minister of Municipal Affairs be so advised.

Recorded vote:

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson.- 10

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7 **CARRIED.**

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-1: A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Recorded vote.

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Collins, Charters, Jackson, Merling, Anderson. -10.

NAYS: Mayor Morrow, Aldermen Caplan, McCulloch, Wilson, Eisenberger, D'Amico, Ross. -7. **CARRIED.**

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 February 28

Minutes of the Special
City Council Meeting
Monday, 1997 March 3
2:50 o'clock p.m.
Council Chambers, City Hall

The Council met.

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. Morrow called the meeting to order.

* * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - THIRD REPORT

1997 Current Budget

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 2:55 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1997 March 3
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **THIRD** Report for 1997 and respectfully recommends:

1. (a) That the 1997 Revenue and Expenditure estimates in the amount of $162,288,650 incorporating the changes referred to in Appendix "A" and "C" for the City of Hamilton, and representing a 0% increase in the tax (mill) rate, be approved.

   (b) That the necessary by-law(s) to establish the 1997 mill rate for the City of Hamilton, on the basis of the foregoing revenue and expenditure estimates, be prepared and forwarded to Council for appropriate readings.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

   E-2: A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 March 3

CITY OF HAMILTON
SUMMARY OF 1997 NET ESTIMATES BY COMMITTEE
APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate Amount (8−3) (9)	Percent (9/3) (10)
Finance And Administration	(46,200,710)	(42,047,180)	(2,047,940)	(44,095,120)	(317,430)	(44,412,550)	1,788,160	3.9%
Parks And Recreation	19,942,920	19,889,390	(466,110)	19,423,280	24,000	19,447,280	(495,640)	−2.5%
Planning And Development	3,886,880	3,946,770	(256,720)	3,690,050	0	3,690,050	(196,830)	−5.1%
Transport And Environment	22,370,910	21,130,970	(149,180)	20,981,790	293,430	21,275,220	(1,095,690)	−4.9%
Total Net Estimates	(0)	2,919,950	(2,919,950)	0	0	0	0	

INCREASE %	
$	MILL RATE
0	0.00%

Revenue	164,330,830	160,500,830	162,288,650	(2,042,180)	−1.24%		$0.00
Expenditure	164,330,830	163,420,780	162,288,650	(2,042,180)	−1.24%		
	(0)	2,919,950	0	0		10:51:19 AM	06−Mar−97

1997 March 3
Appendix "A" as referred to in Section 1 of the THIRD Report of the Committee of the Whole for 1997.

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (2)	1997 Maintenance Budget (3)	Mgmt Team Recommended Reduction Packages (4)	1997 Original Estimate (3+4) (5)	Committee/ Council Adjustments (6)	1997 Resultant Appropriation (5+6) (7)	Increase / (Decrease) Over 1996 Estimate Amount (7−2) (8)	Percent (8/2) (9)
Legislative	1,373,240	1,391,960	0	1,391,960	0	1,391,960	18,720	1.4%
− Revenues								
Net Operations	1,373,240	1,391,960	0	1,391,960	0	1,391,960	18,720	1.4%
City Clerk − Expenditures	2,887,960	2,914,620	(38,290)	2,876,330	0	2,876,330	(11,630)	−0.4%
− Revenues	2,424,840	2,899,930		2,899,930		2,899,930	475,090	19.6%
Net Operations	463,120	14,690	(38,290)	(23,600)	0	(23,600)	(486,720)	−105.1%
C.A.O.'s Office	219,650	218,740	(6,000)	212,740	0	212,740	(6,910)	−3.1%
Fire − Expenditures	30,761,420	30,725,070	(209,760)	30,515,310	377,570	30,892,880	131,460	0.4%
− Revenues	83,720	104,720		104,720		104,720	21,000	25.1%
Net Operations	30,677,700	30,620,350	(209,760)	30,410,590	377,570	30,788,160	110,460	0.4%
Human Resources	1,742,950	1,775,630	(50,000)	1,725,630	0	1,725,630	(17,320)	−1.0%
Property:								
−Real Estate	803,550	811,890	(275,000)	536,890	0	536,890	(266,660)	−33.2%
− Revenues	26,720	26,860		26,860		26,860	140	0.5%
Net Operations	776,830	785,030	(275,000)	510,030	0	510,030	(266,800)	−34.3%
− Property Maintenance	5,836,550	5,793,300	0	5,793,300	0	5,793,300	(43,250)	−0.7%
− Revenues	684,560	667,370		667,370		667,370	(17,190)	−2.5%
Net Operations	5,151,990	5,125,930	0	5,125,930	0	5,125,930	(26,060)	−0.5%
−Central Utilities Plant	2,600,030	2,551,110	0	2,551,110		2,551,110	(48,920)	−1.9%
Total Property	8,528,850	8,462,070	(275,000)	8,187,070	0	8,187,070	(341,780)	−4.0%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate Amount (8−3) (9)	Percent (9/3) (10)
Law	1,590,730	1,569,330	(27,000)	1,542,330	0	1,542,330	(48,400)	−3.0%
Information Systems	3,656,140	3,784,740	(236,090)	3,548,650	0	3,548,650	(107,490)	−2.9%
Treasury:								
−Finance	3,312,630	3,400,170	(95,000)	3,305,170	0	3,305,170	(7,460)	−0.2%
− Revenues	301,260	385,630	10,000	395,630		395,630	94,370	31.3%
Net Operations	3,011,370	3,014,540	(105,000)	2,909,540	0	2,909,540	(101,830)	−3.4%
−Purchasing	317,090	330,250	(20,400)	309,850	0	309,850	(7,240)	−2.3%
− Revenues	18,000	18,000		18,000		18,000	0	0.0%
Net Operations	299,090	312,250	(20,400)	291,850	0	291,850	(7,240)	−2.4%
Total Treasury	3,310,460	3,326,790	(125,400)	3,201,390	0	3,201,390	(109,070)	−3.3%
Total Departments	51,562,840	51,164,300	(967,540)	50,196,760	377,570	50,574,330	(988,510)	−1.9%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate Amount (8−3) (9)	Percent (9/3) (10)
Library :								
−Expenditures	16,074,870	16,190,820	(500,000)	15,690,820	0	15,690,820	(384,050)	−2.4%
−Revenues	1,328,600	1,053,600	0	1,053,600	0	1,053,600	(275,000)	−20.7%
City Funding Request	14,746,270	15,137,220	(500,000)	14,637,220	0	14,637,220	(109,050)	−0.7%
Parking Authority :								
−Expenditures	4,039,290	0	0	0		0	(4,039,290)	−100.0%
−Revenues	4,445,060	0	0	0		0	(4,445,060)	−100.0%
Surplus / (Deficit) prior to Debt Charges	405,770	0	0	0	0	0	(405,770)	−100.0%
Deduct: Debt charges	0	0		0		0	0	ERR
Net Surplus/(Deficit)	405,770	0	0	0	0	0	(405,770)	−100.0%

* No Mill Rate Impact – 1997 Budget to be Finalized

Hamilton Entertainment And Convention Facilities, Inc. (H.E.C.F.I.)								
−Expenditures	9,084,630	9,503,540	(28,120)	9,475,420	0	9,475,420	390,790	4.3%
−Revenues	6,682,340	7,011,300	111,830	7,123,130	0	7,123,130	440,790	6.6%
City Contribution	2,402,290	2,492,240	(139,950)	2,352,290	0	2,352,290	(50,000)	−2.1%
Total Local Boards	17,148,560	17,629,460	(639,950)	16,989,510	0	16,989,510	(159,050)	−0.9%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate Amount (8−3) (9)	Percent (9/3) (10)
Other Budgets :								
Mayor's Race Relations Committee	12,180	12,180		12,180		12,180	0	0.0%
H.S.P.C.A.	846,130	1,141,260	(295,130)	846,130	0	846,130	0	0.0%
Mundialization Committee	7,540	7,540		7,540	0	7,540	0	0.0%
Status Of Women	11,280	11,280		11,280	0	11,280	0	0.0%
Promotion And Public Relations	35,000	35,000		35,000	0	35,000	0	0.0%
Civic Awards, Receptions, Delegation Hostings	65,000	65,000		65,000	0	65,000	0	0.0%
Grants	384,430	382,890		382,890	0	382,890	(1,540)	−0.4%
Total Other Budgets	1,361,560	1,655,150	(295,130)	1,360,020	0	1,360,020	(1,540)	−0.1%
Sub−Total Finance & Administration	70,072,960	70,448,910	(1,902,620)	68,546,290	377,570	68,923,860	(1,149,100)	−1.6%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE FINANCE AND ADMINISTRATION COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description	1996 Estimate	1997 Maintenance Budget	Mgmt Team Recommended Reduction Packages	1997 Original Estimate	Committee/ Council Adjustments	1997 Resultant Appropriation	Increase / (Decrease) Over 1996 Estimate	
							Amount	Percent
(1)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Financial Expenditures:								
Owner's Debt – Locals	364,990	364,990	0	364,990		364,990	0	0.0%
Capital Levy (3 Mills)	2,015,000	2,007,000	0	2,007,000		2,007,000	(8,000)	–0.4%
Prov. – Debt Reserve	15,059,000	15,059,000	0	15,059,000		15,059,000	0	0.0%
Prov. – Other Reserves	4,550,150	3,549,370		3,549,370	0	3,549,370	(1,000,780)	–22.0%
Financial – Various	6,736,400	5,224,420	0	5,224,420	0	5,224,420	(1,511,980)	–22.4%
Capital Programs	93,200	372,900	0	372,900		372,900	279,700	300.1%
Social Contract	(44,000)	(33,000)	0	(33,000)		(33,000)	11,000	–25.0%
Miscellaneous	545,000	545,000	575,000	1,120,000	50,000	1,170,000	625,000	114.7%
Total Financial Expend.	29,319,740	27,089,680	575,000	27,664,680	50,000	27,714,680	(1,605,060)	–5.5%
Financial Revenues:								
Tax.,Supp's,Special Assessm	116,625,410	115,771,730		115,771,730		115,771,730	(853,680)	–0.7%
Provincial Grants	9,130,720	6,140,860		6,140,860		6,140,860	(2,989,860)	–32.7%
Payments–In–Lieu	7,518,900	7,359,990		7,359,990		7,359,990	(158,910)	–2.1%
Reserves	2,990,000	2,014,000	720,320	2,734,320	745,000	3,479,320	489,320	16.4%
Capital Programs	0	0		0		0	0	
Financial Accounts	9,328,380	8,299,190		8,299,190		8,299,190	(1,029,190)	–11.0%
Total Financial Revenues	145,593,410	139,585,770	720,320	140,306,090	745,000	141,051,090	(4,542,320)	
Total Finance And Administration	(46,200,710)	(42,047,180)	(2,047,940)	(44,095,120)	(317,430)	(44,412,550)	1,788,160	3.9%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE PARKS AND RECREATION COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate Amount (8−3) (9)	Percent (9/3) (10)
Public Works :								
Cemeteries Division	2,634,100	2,638,410	(20,120)	2,618,290	0	2,618,290	(15,810)	−0.6%
– Revenues	1,531,420	1,534,300		1,534,300		1,534,300	2,880	0.2%
Net Operations	1,102,680	1,104,110	(20,120)	1,083,990	0	1,083,990	(18,690)	−1.7%
Parks Division	8,027,460	7,847,690		7,847,690	24,000	7,871,690	(155,770)	−1.9%
– Revenues	3,150	48,500		48,500		48,500	45,350	1439.7%
Net Operations	8,024,310	7,799,190	0	7,799,190	24,000	7,823,190	(201,120)	−2.5%
Total Public Works	9,126,990	8,903,300	(20,120)	8,883,180	24,000	8,907,180	(219,810)	−2.4%
Culture And Recreation :								
Recreation	14,969,100	16,221,530	(312,600)	15,908,930	0	15,908,930	939,830	6.3%
– Revenues	5,879,920	6,773,310	110,500	6,883,810		6,883,810	1,003,890	17.1%
Net Operations	9,089,180	9,448,220	(423,100)	9,025,120	0	9,025,120	(64,060)	−0.7%
Culture	2,087,100	2,130,200	(8,690)	2,121,510	0	2,121,510	34,410	1.6%
– Revenues	398,450	630,430	2,000	632,430		632,430	233,980	58.7%
Net Operations	1,688,650	1,499,770	(10,690)	1,489,080	0	1,489,080	(199,570)	−11.8%
Hamilton−Scourge Project	26,100	26,100	(12,200)	13,900	0	13,900	(12,200)	−46.7%
Total Culture And Recreation	10,803,930	10,974,090	(445,990)	10,528,100	0	10,528,100	(275,830)	−2.6%
Veteran's Committee	12,000	12,000		12,000		12,000	0	0.0%
Total Parks & Recreation	19,942,920	19,889,390	(466,110)	19,423,280	24,000	19,447,280	(495,640)	−2.5%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE PLANNING AND DEVELOPMENT COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate Amount (8−3) (9)	Percent (9/3) (10)
Building	4,539,600	4,673,720	10,380	4,684,100	0	4,684,100	144,500	3.2%
− Revenues	2,151,360	2,236,330	200,000	2,436,330		2,436,330	284,970	13.2%
Net Operations	2,388,240	2,437,390	(189,620)	2,247,770	0	2,247,770	(140,470)	−5.9%
Municipal Non−Profit (Hamilton) Housing	255,430	276,310		276,310	0	276,310	20,880	8.2%
**Committee Of Adjustment	11,000	11,000		11,000		11,000	0	0.0%
Planning	1,647,900	1,658,640	(67,100)	1,591,540	0	1,591,540	(56,360)	−3.4%
− Revenues	160,260	160,260		160,260		160,260	0	0.0%
Net Operations	1,487,640	1,498,380	(67,100)	1,431,280	0	1,431,280	(56,360)	−3.8%
Total Planning And Development	3,886,880	3,946,770	(256,720)	3,690,050	0	3,690,050	(196,830)	−5.1%

SUMMARY OF 1997 NET ESTIMATES OF THOSE BUDGETS UNDER THE JURISDICTION OF THE TRANSPORT AND ENVIRONMENT COMMITTEE APPROVED BY CITY COUNCIL MARCH 3, 1997

Description (1)	1996 Estimate (3)	1997 Maintenance Budget (4)	Mgmt Team Recommended Reduction Packages (5)	1997 Original Estimate (4+5) (6)	Committee/ Council Adjustments (7)	1997 Resultant Appropriation (6+7) (8)	Increase / (Decrease) Over 1996 Estimate Amount (8−3) (9)	Percent (9/3) (10)
Public Works :								
– Traffic – For City	6,034,950	6,113,410	(149,180)	5,964,230	148,430	6,112,660	77,710	1.3%
– Revenues	4,088,410	4,117,960		4,117,960		4,117,960	29,550	0.7%
Net Operations	1,946,540	1,995,450	(149,180)	1,846,270	148,430	1,994,700	48,160	2.5%
–Streets & Sanitation	21,058,500	19,721,680		19,721,680	145,000	19,866,680	(1,191,820)	−5.7%
– Revenues	910,480	1,240,990		1,240,990		1,240,990	330,510	36.3%
Net Operations	20,148,020	18,480,690	0	18,480,690	145,000	18,625,690	(1,522,330)	−7.6%
–Fleet Services (Gross)	9,854,210	9,489,500		9,489,500		9,489,500	(364,710)	
	(383,890)	0		0		0	383,890	
– Revenues	0	0		0		0	0	
Net Operations	(383,890)	0	0	0	0	0	383,890	0.0%
–City Garage (Gross)	1,225,210	1,136,390		1,136,390		1,136,390	(88,820)	
– Revenues	0			0		0	0	
Net Operations	(20,540)	0	0	1,136,390			20,540	
Total Public Works	21,690,130	20,476,140	(149,180)	20,326,960	293,430	20,620,390	(1,069,740)	−4.9%
Services Purchased From The Region:								
–Local Roads	755,650	725,300		725,300		725,300	(30,350)	−4.0%
– Revenues	74,870	70,470		70,470		70,470	(4,400)	−5.9%
Net Operations	680,780	654,830	0	654,830	0	654,830	(25,950)	−3.8%
Total Services–Region	680,780	654,830	0	654,830	0	654,830	(25,950)	−3.8%
Total Transport And Environment	22,370,910	21,130,970	(149,180)	20,981,790	293,430	21,275,220	(1,095,690)	−4.9%

The Corporation of the City of Hamilton

1997 Budget Reduction Packages
Approved by City Council February 25 and March 3, 1997

Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V) / Filled (F)
1	Building	BLDG1	Reduction of Staff – 1 Customer Service Rep.	47,990	47,990	1.0	V
2	**Building**	**BLDG2**	**Implement Mobile Sign By–law – add 1 Inspector – COUNCIL APPROVED FEB 25**	**76,720**	**141,630**	**–1.0**	**add 1 FTE**
				124,710	189,620	0.0	
3	CAO	CAO1	Reduce Corporate Staff Training	6,000	6,000	0.0	
4	Clerks	CLERK1	Reduction of Staff – 1 Legislative Stenographer II	38,290	38,290	1.0	V
5	**Cult&Rec.**	**C&R1**	**Golf Course – COUNCIL APPROVED FEB 25**	**50,000**	**50,000**	**0.0**	
6	**Cult&Rec.**	**C&R2**	**Recreation User Fee Increases – COUNCIL APPROVED FEB 25**	**5,900**	**30,500**	**0.0**	
7	**Cult&Rec.**	**C&R3**	**Children's Museum User Fee Increase – COUNCIL APPROVED FEB 25**	**2,000**	**2,000**	**0.0**	
8	Cult&Rec.	C&R4	Hamilton Scourge Operating Reduction	12,200	12,200	0.0	
9	Cult&Rec.	C&R5	Reduced Advertising Brochure	15,000	15,000	0.0	
10	Cult&Rec.	C&R6	Whitehern Museum Operation	8,690	8,690	0.0	
11	Cult&Rec.	C&R7	Reduced funding for Children's International Games	35,000	35,000	0.0	
12	Cult&Rec.	C&R8	Operating Efficiencies Arena Operations	50,000	50,000	0.0	
13	Cult&Rec.	C&R9	Reduction of Staff – 1 Centre Supervisor	66,000	66,000	1.0	V
14	Cult&Rec.	C&R10	Reduce Rosedale Tennis Grant	6,000	6,000	0.0	
15	Cult&Rec.	C&R11	Reduce Grants to Lawnbowling Clubs	8,800	8,800	0.0	
16	Cult&Rec.	C&R12	Kiwanis Club Property Tax Exemption	28,200	28,200	0.0	
17	Cult&Rec.	C&R13	Op. Efficiencies at Rec. & Seniors Centres, Outdoor Pools, KIDACA	115,000	133,600	0.0	
				402,790	445,990	1.0	
18	Fire	FIRE1A	Reduction of staff – 5 Fire Fighters	209,760	209,760	5.0	V
19	Human Resources	HRC1	Reduction in Labour Relations – To be determined by Mgmt Team/Dept Head	40,000	40,000	0.0	
20	Human Resources	HRC2	Eliminate Outreach program for Firefighting recruiting	10,000	10,000	0.0	
				50,000	50,000	0.0	
21	Information Sys	INFO1	Reduction of staff – 1 Programmer & 1 Temp Data Entry	76,090	76,090	2.0	V
22	Information Sys	INFO2	Budget Adjustment – To be determined by Mgmt Team/Dept Head	160,000	160,000		
				236,090	236,090	2.0	V

NOTE: Indicates that item was approved by COUNCIL Feb 25 as part of the User Fee Report.

03/06/97

The Corporation of the City of Hamilton

1997 Budget Reduction Packages
Approved by City Council February 25 and March 3, 1997

23	Law	LAW1	Outside Agencies – delete entire line item	4,500	4,500	0.0	
24	Law	LAW2	Training	6,000	6,000	0.0	
25	Law	LAW3	Decrease various line items	4,500	4,500	0.0	
26	Law	LAW4	Outside Counsel	12,000	12,000	0.0	
				27,000	27,000	0.0	
27	Planning&Dev.	P&D1	Staff Gapping/Reorganization	67,100	67,100	N/A	
28	Property	PROP1	Budget Adjustment – To be determined by Mgmt Team/Dept Head	275,000	275,000		
29	PW/Traffic	PW–C1	Reduce Cemetery admin. & oper'l costs of installing markers, monuments	20,120	20,120	0.0	
30	PW/Traffic	PW–T1	Reduction of Staff – 2 Cooperative Trans. Planning Student Work Terms	16,540	16,540	0.7	V
31	PW/Traffic	PW–T2	Reduction of Staff–2 Traffic Signs & Markings Specialists–Financed Reserve for Tax Stabilizati	89,850	119,790	2.0	V
32	PW/Traffic	PW–T3	Reduction of Staff Hours – 2 supervised crossing locations during summer months	5,210	5,210	N/A	
33	PW/Traffic	PW–T4	Reduced Staff Hrs–School Crossing Lunch Prog–Mohawk&San.–Financed Res for Tax Stabil	2,460	2,460	N/A	
34	PW/Traffic	PW–T5	Reduced Staff Hrs–School Crossing Lunch Prog–Quigley&THB tracks–Financed Res for Tax	2,510	2,510	N/A	
35	PW/Traffic	PW–T6	Reduced Staff Hrs–School Crossing Lunch Prog–Quinn&Stone Church–Financed Reserve fo	2,670	2,670	N/A	
				139,360	169,300	2.7	
36	Treasury	TRSY1	Reduction of Staff – Reorganize Purchasing–delete Buyer & Steno, add 1 Clerical	20,400	20,400	2–1=1	1V, 1F, add 1
37	Treasury	TRSY2	Reduction of Staff – 1 A/P Clerk	38,000	38,000	1.0	V
38	**Treasury**	**TRSY3**	**Increase Tax Registration Fees – COUNCIL APPROVED FEB 25**	**10,000**	**10,000**	**N/A**	
39	Treasury	TRSY4	Implement cost recovery of administration of Benefit Plans	57,000	57,000	N/A	
				125,400	125,400	2.0	
40	Financials	FINCL1	Draw from Tax Stabilization Reserve (see shaded note below)	145,320	145,320	N/A	
			TOTAL RECOMMENDED REDUCTION PACKAGES	**1,749,330**	**1,857,440**	**11.7**	
			TOTAL NOT RECOMMENDED REDUCTION PACKAGES – FINANCED FROM RESERVE FOR TAX STABILIZATION	**97,490**	**127,430**	**2.0**	

1997 March 3

NOTE: Indicates that item was approved by CITY COUNCIL Feb 25 as part of the User Fee Report.

NOTE: Indicates that item was approved by CITY COUNCIL March 3 to be funded from Reserve for Tax Stabilization and NOT a reduction package.

The Corporation of the City of Hamilton

1997 Budget Expansion Packages
Approved by City Council March 3, 1997

Item No.	Department	Pkg No.	Description	Effective	Annualized	F.T.E.s	Vacant (V) / Filled (F)
1	Financials	FINCL1	Increase Special Events Subsidy fund for 1997 only – Financed Reserve for Tax Stabilization	50,000	50,000	0.00	
2	Fire	FIRE1	Re–instate Staffing Level of Fire Prevention Division–Financed Reserve for Capital Equip	41,950	41,950	1.00	F
3	Fire	FIRE2	Re–instate Staffing Level of Fire Prevention Division–Financed Reserve for Capital Equip	335,620	335,620	8.00	V
				377,570	377,570	9.00	
4	PW/Traffic	PW–S1	Traffic Island Beautification (Upper Sherman & Crocket)	30,940	30,940	0.00	
5	PW/Traffic	PW–S2	Traffic Island Beautification (Britannia & Cannon)	18,200	18,200	0.00	
6A	PW/Traffic	PW–P3A	Reinstate Grass Cutting 3 specified Naturalized Areas – Financed Reserve for Tax Stabilization	24,000	24,000	0.00	
6B	PW/Traffic	PW–P3B	Reinstate Grass Cutting in Naturalized Areas	130,000	130,000	0.00	
7	PW/Traffic	PW–S3	Spray & Sweep Weeds in Gutters and Boulevards	40,000	40,000	0.00	
8	PW/Traffic	PW–S4	Forestry–expanded funding for Tree Trimming Grids – Financed Reserve for Tax Stabilization	70,000	70,000	0.00	
9	PW/Traffic	PW–T8	Free Parking in the Downtown – No Enforcement	150,000	150,000	0.00	
10	PW/Traffic	PW–T9	Crossing Guard – Cannon & Lottridge – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
11	PW/Traffic	PW–T10	Crossing Guard – Arnold & Dalewood – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
12	PW/Traffic	PW–T11	Crossing Guard – Barton & Gage – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
13	PW/Traffic	PW–T12	Crossing Guard – Cochrane & Montrose – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
14	PW/Traffic	PW–T13	Crossing Guard – Queen Victoria & Redbury – Financed Reserve for Tax Stabilization	4,200	4,200	0.30	F
15	PW/Traffic	PW–T14	Sewer Tree Roots Program– Expanded Funding – Financed Reserve for Tax Stabilization	75,000	75,000	0.00	
				559,140	559,140	1.50	
			TOTAL RECOMMENDED FINANCED FROM RESERVE FOR TAX STABILIZATION	**240,000**	**240,000**	**1.50**	
			TOTAL RECOMMENDED FINANCED FROM RESERVE FOR CAPITAL EQUIPMENT	**377,570**	**377,570**	**9.00**	
			TOTAL NOT RECOMMENDED EXPANSION PACKAGES	**369,140**	**369,140**	**0.00**	

1997 March 3

NOTE: Indicates that expansion item was not approved by CITY COUNCIL March 3.

03/06/97

CORRESPONDENCE

Correspondence:

1. Application dated 1997 March 3 from Wesley Community Homes Inc., 195 Ferguson Avenue North, Hamilton, Ontario for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for 195 Ferguson Avenue North, Hamilton, Ontario.

Recommendation: **Be Received.**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. That the appropriate by-law in a form satisfactory to the City Solicitor, for the stop-up, close and sale of a portion of Gerrard Street west of Sherman Avenue North designated as Parts 6 and 7 on Plan 62R-12643, be enacted.

2. That the existing "No Parking" regulation on the west side and the "Two Hour Parking Time Limit, 24 hours a day, Monday to Friday" regulation on the east side of Gladstone Avenue between Main Street East and Delaware Avenue be replaced with an "Alternate Side Parking" regulation on both sides of the street in this block such that parking is prohibited:

   (a) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October, and November; and,

   (b) on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October, and November and that the City Traffic By-law No. 89-72 be amended accordingly.

3. That a "No Parking" regulation be implemented on the north side of Delbrook Court between Stroud Road and the west curb line of Delbrook Court and that the City Traffic By-law No. 89-72 amended accordingly.

4. That a "No Stopping" regulation be implemented on the west side of Haddon Avenue South commencing at Main Street West and extending to a point 277 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the west side of Stapleton Avenue commencing at a point 267 feet south of Grenfell Street and extending to a point 17 feet southerly therefrom, and on the east side of Stapleton Avenue commencing at a point 191 feet south of Grenfell Street and extending to a point 19 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. William Thomas, No. 40 Stapleton Avenue.

6. (a) That a "Permit Parking" regulation be implemented on the east side of Mary Street commencing at a point 98 feet south of Macauley Street East and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Ron Hill, No. 480 Mary Street.

7. (a) That a "Permit Parking" regulation be implemented on the east side of Weir Street North commencing at a point 31 feet south of Britannia Avenue and extending to a point 26 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Margaret Crookshanks, No. 196 Weir Street North.

8. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the south side of King Street West, commencing 92 feet east of Haddon Avenue South and extending to a point 40 feet easterly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly.

9. (a) That a "No Stopping, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Franklin Road commencing at a point 41 feet east of the east curb line of East 27th Street and extending to a point 61 feet easterly therefrom; and,

(b) That the existing "No Stopping" regulation on the south side of Franklin Road commencing at Upper Sherman Avenue and extending to a point 300 feet westerly therefrom be extended 18 feet westerly; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

10. That the existing "No Stopping" regulation on the west side of Kenora Avenue commencing at a point 99 feet north of the north curb line of Janet Court and extending to a point 104 feet northerly therefrom be extended an additional 35 feet northerly, and that the existing "No Stopping" regulation on the west side of Kenora Avenue commencing at the north curb of Village Drive and extending to a point 39 feet northerly therefrom be extended an additional 28 feet northerly and that the City Traffic By-law No. 89-72 be amended accordingly.

11. (a) That a "Permit Parking" regulation be implemented on the west side of East 13th Street commencing 34 feet south of Mountville Avenue and extending to a point 20 feet southerly therefrom, and on the east side of East 13th Street commencing 37 feet south of Mountville Avenue and extending to a point 20 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Tom Stewart, No. 64 East 13th Street.

12. (a) That a "Permit Parking" regulation be implemented on the north side of Keith Street commencing at a point 176 feet east of Emerald Street North and extending to a point 18 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Hadan Hans-Joachim, No. 25 Keith Street.

13. That the existing "No Parking" regulation on the north side of Central Avenue between Beland Avenue South and the easterly end of Central Avenue be revised to allow unrestricted parking on the north side from a point 119 feet east of Beland Avenue South to the easterly end of Central Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That the existing "No Parking 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Poulette Street commencing 60 feet north of Canada Street and extending 45 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Iyad Abed-Baki
Mark MacDonald; and,

(b) That the following appointment as a Parking Control Officer be repealed:

Terry Paul

16. (a) That a second School Crossing Guard be assigned to the intersection of Grosvenor Avenue and Main Street East during the morning, lunch and evening school crossing periods for the balance of 1997 and up until the approval of the 1998 Departmental Budget; and,

(b) That consideration be given in the 1998 Current Budget deliberations for an expansion package of $7,000 plus administrative costs for the School Crossing guard at this location.

17. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Queensdale Avenue East commencing at a point 173 feet east of Prince George Avenue and extending 50 feet easterly and that the City Traffic By-law No. 89-72 be amended accordingly.

18. (a) That the submitted schedules of works be approved for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"Bar- Brock Estates - Phase 4, Hamilton

City's share - NIL Owner's share $129,616.43

"Eagleview Estates - Phase 1", Hamilton

City's Share, $9,755 Owner's Share, $155,074

and that the amount of $9,755 be financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Bar-Brock Estates - Phase 4, Hamilton and "Eagleview Estates - Phase 1", Hamilton as well as and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

(d) In the event that the owner wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered he should be allowed to do so at their own risk provided that he enter into a standard agreement with the City of Hamilton for pre-servicing.

19. (a) That the following City land be incorporated into the following street:

Palace Boulevard	Part 8	Plan 62R-12439
	Part 1,2,3	Plan 263314LT

(b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

(c) That the Commissioner of Transportation be authorized and directed to register the by-laws; and,

(d) That By-law No. 97-007 enacted on 1997 January 28 to incorporate land into Palace Boulevard be repealed.

20. That the City's Modified Subdivision Agreement with James and Dorothy Zaborsky for Land Division Committee Applications H-18-96 and H-19-96 be amended by adding the following clause:

> "That a 3.2 metre strip of land remaining from Land Division Committee Applications H-18-96 and H-19-96, comprising part of Lots 7 and 10 on the approved draft plan of subdivision, known as "Annabelle Place" (25T-89002) being designated as Part 5 on Reference Plan 62R-14047, shall only be developed in conjunction with the remaining subdivision lands to the south, in accordance with the approved draft plan of subdivision."

21. (a) That the City of Hamilton, for the sum of $1, accept title to Parts 5 and 6 on Plan RB-H-560 from the Regional Municipality of Hamilton-Wentworth for road widening purposes, said parcels being described as vacant strips of land, having frontages of 221.381 metres (726.316 feet) and 75.621 metres (248.10 feet) respectively, more or less, along the east limit of Pritchard Road, by a depth of .901 metres (2.956 feet) more or less, and containing an area of .020 hectares (.049 acres) and .006 hectares (.015 acres) respectively, more or less, subject to a temporary right-of-way over the road widening, to continue until the road widening by-law is enacted and registered; and,

(b) That the Senior Director of Roads be directed to prepare the By-law in a form satisfactory to the City Solicitor, to incorporate Parts 5 and 6 on Plan RB-H-560 into Pritchard Road.

22. (a) That the Commissioner of Public Works and Traffic be authorized and directed to issue a purchase order to Mountainview Geotechnical Ltd. to provide quality control/quality assurance testing services for hot-in-place asphalt recycling on various streets in 1997; and,

(b) That the cost of this work estimated at $37,500 be financed from the 1997 Road and Sidewalk Improvement Programme.

23. (a) That the construction of independent concrete sidewalks on the north side of Stone Church Road East from Upper Ottawa Street to approximately 550m easterly (east limit of No. 1249 Stone Church Road East) at an estimated gross cost of $73,000 with a City's Share of $19,591.96 and an Owner's Share of $53,408.04 and on the south side of Stone Church Road East from Upper Ottawa Street to Dartnall Road at an estimated gross cost of $141,000 with a City's Share of $55,859.56 and an Owner's Share of $85,140.44 proceed as local improvements pursuant to Section 12 of the Local Improvement Act all as provided in the 1997 portion of the 1997 - 2006 Capital Budget; and,

(b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

(c) That the Commissioner of Transportation be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,

(d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works; and,

(e) That the Commissioner of Public Works and Traffic be authorized and directed to prepare the necessary by-law in a form satisfactory to the City Solicitor.

24. (a) That the Commissioner of Transportation be authorized and directed to supply and install 22 luminaires on the pedestrian scale lighting poles installed on Ottawa Street between Main and Barton Streets; and,

(b) That the estimated cost of $26,700 be financed from the funds available in the 1995 Road and Sidewalk Reconstruction Programme Account No. CF5295 42024.

25. (a) That the West Central Branch of the Ontario Ministry of Environment and Energy (M.O.E.E.) be advised that the City of Hamilton reaffirms its original decision from 1995 March 14 which stated:

(i) That the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) be advised that the City of Hamilton has no objection to Hotz Environmental Services Inc. receiving an amendment to their Certificate of Approval No. A100146, for their facility located at 239 Lottridge Street, Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that applicable City by-laws are complied with fully; and,

(b) That a copy of this report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,

(c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval amendment for Hotz Environmental Services Inc. to the City of Hamilton.

26. (a) That an Offer to Purchase (Highway Closure), duly executed by Racing Construction Limited (Mario Restauri, President), on 1997 February 20 and scheduled to close on or before 1997 September 30, for the lands composed of part of PIN 17125-0155, being part of Leaway Avenue, Registered Plan 1059, as closed by Judge's Order and registered as Instrument No. VM160037, designated as Part 3 on Plan 62R-11410 and part of Parcel "B", Registered Plan 1059, designated as Part 4 on Plan 62R-11410, having a frontage of 10.8 metres (35.4 feet) and a depth of 43.59 metres (143 feet) and municipally known as No. 817 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $30,010 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)); and,

(b) That the required deposit cheque in the amount of $3,001 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision);

(ii) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act;

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

27. (a) That an Offer to Purchase (Highway Closure), duly executed by Mario Restauri, on 1997 February 20 and scheduled to close on or before 1997 September 30, for the lands composed of part of PIN 17125-0155, being part of Leaway Avenue, Registered Plan 1059, as closed by Judge's Order and registered as Instrument No. VM160037, designated as Part 2 on Plan 62R-11410 and part of Parcel "B", Registered Plan 1059, designated as Part 5 on Plan 62R-11410, having a frontage of 10.05 metres (33 feet) and a depth of 43.59 metres (143 feet) and municipally known as No. 821 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $30,010 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases(Sales)); and,

(b) That the required deposit cheque in the amount of $3,001 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,

(ii) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

28. That all-way stop control be implemented at the intersection of Jackson Street East and Spring Street and that the City Traffic By-law No. 89-72 be amended accordingly.

29. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a)	A-13	A By-law to Amend By-law No. 89-72 to Regulate Traffic
(b)	A-14	A By-law to Amend By-law No. 89-72 to Regulate Traffic
(c)	A-15	A By-law to Repeal City By-law No. 97-007 Referred to as Palace Boulevard
(d)	A-16	A By-law to Incorporate City Land Designated as Part 8 on Plan 62R-12439 and Parts 1, 2 and 3 on Plan 263314 L.T. into Palace Boulevard
(e)	A-17	A By-law to stop-up and close a portion of Gerrard Street designated as Parts 6 and 7 on Plan 62R-12643 and to retain Parts 1 and 2 on Plan 62R-13793 and to sell the remainder of Gerrard Street being closed

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary
1997 March 3rd

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to City Initiative 96-J, for a general text amendment to Zoning By-law No. 6593 regarding the parking standards for single-family dwellings and associated technical definitions on the following basis:

(i) That Subsection 2.(2)J.(xxi) of Zoning By-law No. 6593 be amended by deleting the existing definition of ""storey, attic" or "storey, half"" and replacing it with the following:

(xxia) "**Storey, Attic**" shall mean the portion of a building situated wholly, or in part, within the roof and which is not a half-storey;

(xxib) "**Storey, Half**" shall mean the portion of a building situated wholly or in part within a sloping roof and in which:

a) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 m (7 feet, 7 inches) over a floor area equal to at least fifty percent of the area of the floor; or,

b) there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.1 m (6 feet, 11 inches) over all of the area of the floor.

(ii) That Section 18A of Zoning By-law No. 6593 be amended by adding a new clause as (7A) as follows:

"Notwithstanding Subsection (7), for a single family dwelling where more than 1 parking space is provided in an attached garage, then an open stairway may project into the length of the required parking space not more than 0.75 metre provided that the height of the stairway does not exceed 0.5 metre."

(iii) That Section 18A of Zoning By-law No. 6593 be amended by adding a new clause as (7B) as follows:

"Where a dwelling is constructed with an attached garage, then the finished level of the garage floor must be set a minimum of 0.10 metres higher than the approved property/street line elevation, where the driveway grade on private property shall be established at a minimum 1% slope, not exceeding 7%, with the slope of the driveway draining away from the building. The approved property/street line shall mean 0.15 metres higher than the elevation of the centreline of the abutting roadway as approved by the road authority."

(iv) That Column 1 and Column 2 of Table 1 of Section 18A. of Zoning By-law No. 6593 be amended by deleting paragraph 1.(a) and replacing it with the following:

"1.	Residential Use	
(a)	Single Family Dwelling	2 parking spaces for each Class "A" dwelling unit, for the first 8 habitable rooms in the dwelling unit plus 0.5 parking space for each additional habitable room"

(v) That Subsection 18A.(10) of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following:

"Except for single-family dwellings, sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space."

(vi) That Subsection 18A. of Zoning By-law No. 6593 be amended by adding a new clause as (14h) as follows:

"Notwithstanding any other provision in this by-law, the following shall apply to a single family dwelling with 8 habitable rooms or more:

(i) only 1 of the parking spaces may be located in the front yard on a driveway appurtenant to the dwelling, and

(ii) the required area for parking, manoeuvring and access in respect to the single family dwelling shall not occupy more than 50% of the gross area of the front yard, and

(iii) not less than 50% of the gross area of the front yard shall be landscaped."

(vii) That Subsection 18A.(32) of Zoning By-law No. 6593 be deleted in its entirety and replaced with the following:

"Sufficient space additional to required loading space shall be provided and maintained on the same lot on which the loading space is located, in such a manner as to enable each and every loading space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space."; and,

(b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

(c) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. (a) That approval be given to Zoning Application 97-03, Mike & Gus Holdings Ltd., owners, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act to allow for the development of the subject lands for single detached dwellings through plan of subdivision, for lands located in the area west of West Fifth Street, south of the proposed Mountain Freeway and north of Chester Street, as shown on the attached map marked as Appendix "A"; and,

(b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593, as amended by By-Law No. 90-351, for presentation to City Council.

3. That approval be given for the assumption by Quantum Realty Holdings Inc. of the existing Commercial Property Improvement Loan in the amount of twenty-three thousand, one hundred and twenty-two dollars and thirty-three cents ($23,122.33) owed by Agommen Ltd., and co-owners, 303 - 307 King Street East, Hamilton, subject to fulfilment of the borrowing requirements of the City.

4. (a) That the City of Hamilton proceed to complete the sale of 411 - 413 Britannia Avenue to Ratko Radisic for the sum of $30,000. as approved by City Council on 1996 December 10 (Item 13 of the 20th Report of the Finance and Administration Committee); and,

   (b) That the Property Department be authorized to reapply to the Committee of Adjustment for the required variances to allow the residential use to continue on this site.

5. (a) That Schedule 'B' of By-law No. 97-011, appointing the Downtown Hamilton B.I.A.'s Board of Management be repealed and the following names substituted:

SCHEDULE 'B'

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	The Right House
A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
P. Pappas	Joe Buddinski's
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, Gowling Inc.

6. That the Building Commissioner be authorized to issue a demolition permit for 988 Upper Paradise Road in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

7. That approval be given to the request by Toys "R" Us (Canada) Ltd., owner of the lands at 970 Upper Wentworth Street, as shown on the attached map marked as Appendix "B", for an extension to the approval of Site Plan Control Application DA-95-08 to March 11, 1998, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

8. That City Council reject the settlement offer proposed by Ross, Bennett & Lake, Barristers and Solicitors on behalf of Gould Outdoor Advertising, in respect of Gould's appeal against Zoning By-law No. 96-092.

9. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

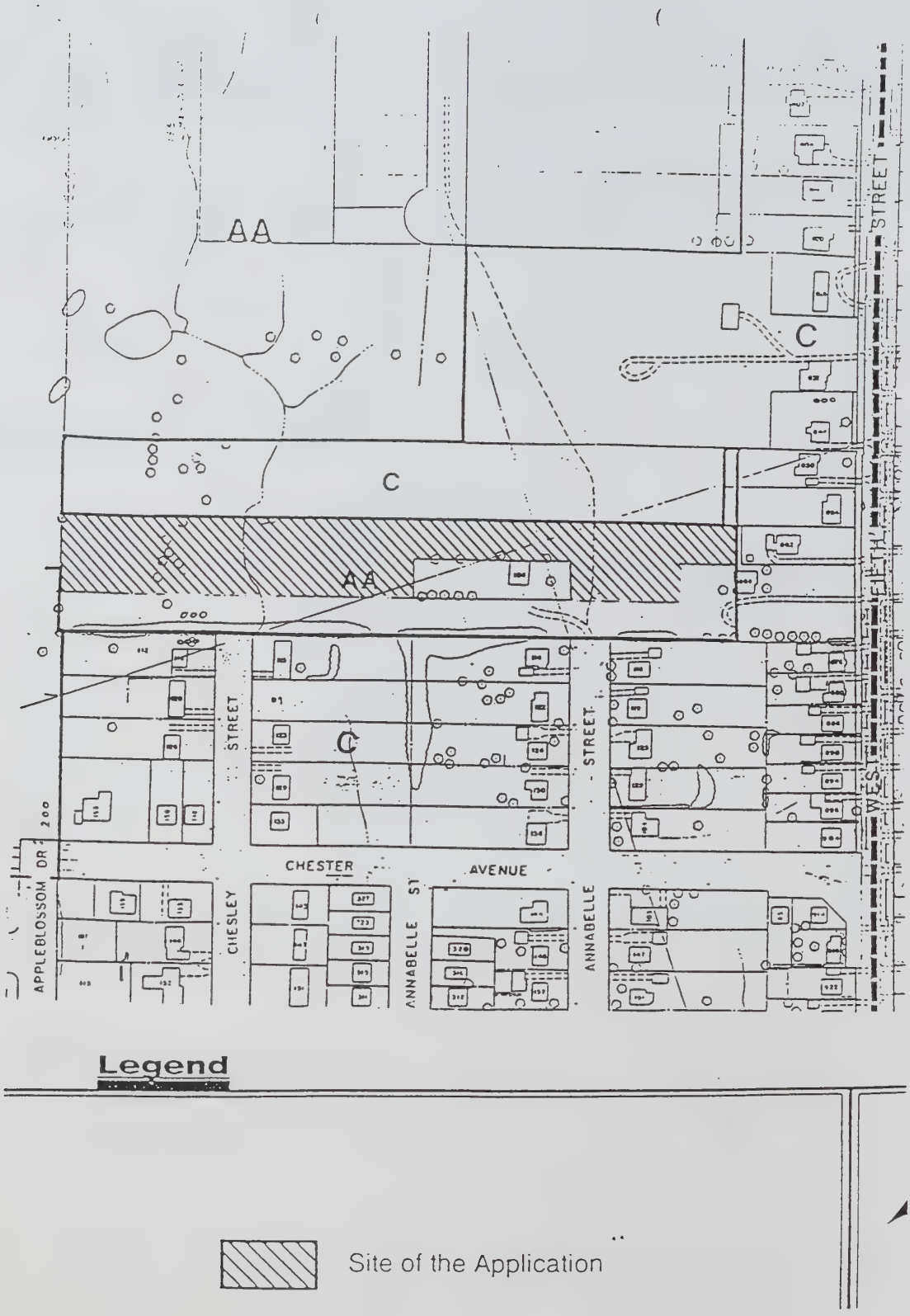
(a) C-15 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 8-10 Brantdale Avenue.

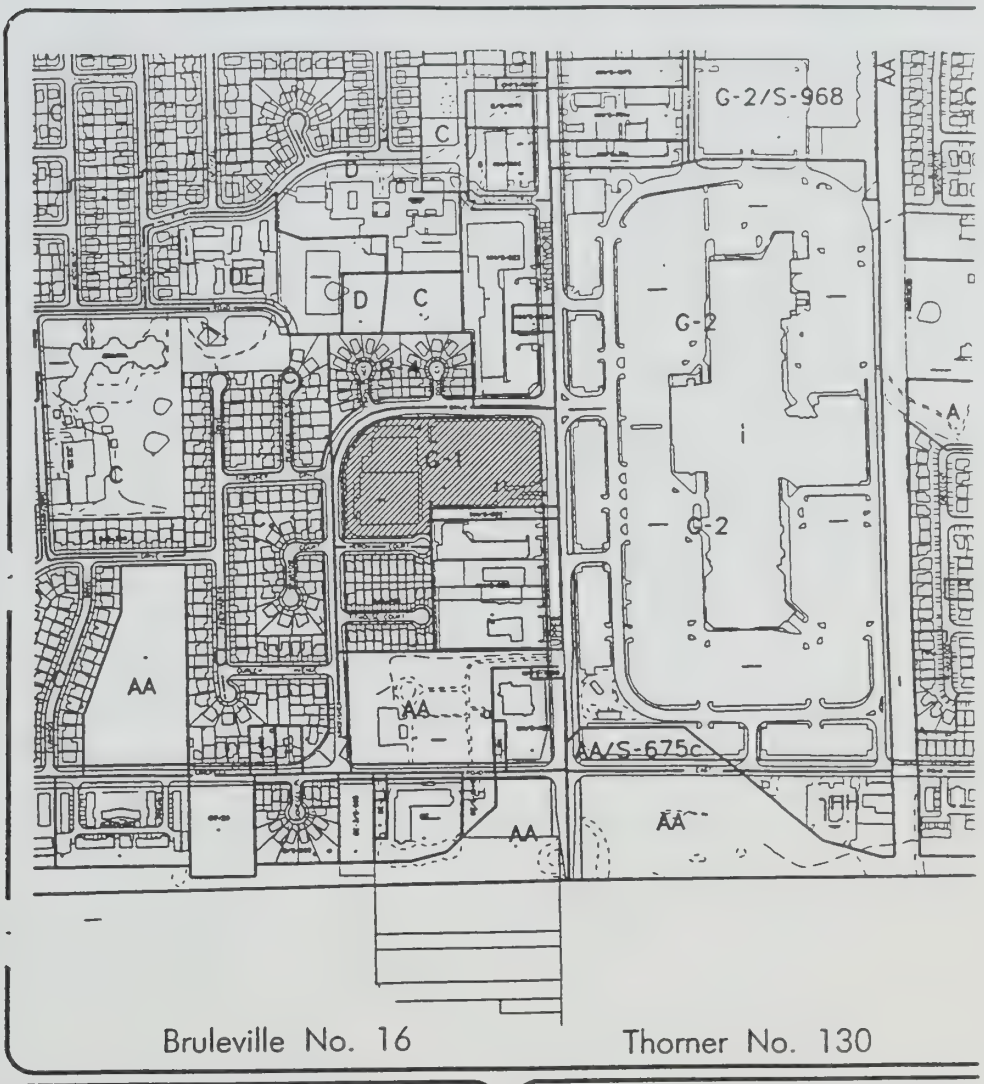
Respectfully submitted,

ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1997 March 5

Appendix "A" referred to in
Section 2(a) of the **FOURTH** Report
the Planning and Development
Committee for 1997





City of Hamilton

Plan Showing Lands Subject to

Site Plan Control Application DA-95-08

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Site of the Application

North	Scale	Reference File No
	Not to Scale	DA-95-08
	Date	Drawn By
	MARCH 13, 1995	William Braithwaite

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 6396/96 by the payment to the Plaintiff, Marlene Brown, of the sum of $500 inclusive of all damages, interest and costs; and,

   (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

   (c) That Ontario Court (General Division) Small Claims Court Action No. 6396/96 be dismissed without costs.

2. (a) That approval be given to award the Cleaning & Maintenance Services contract for Bennetto, Churchill, Dalewood, Westmount and Chedoke Twin Pad Arena to Sunshine Building Maintenance Inc. of Burlington for a four year term commencing 1997 March 1 and terminating 2000 December 31 for a total of $450,274.32 plus G.S.T., with an option in favour of the City to renew for one additional term of three years pending satisfactory performance of the contractor and negotiated price increase, if any, this being the second lowest tender received in accordance to the specifications issued by the Purchasing Division Ref:C15-1-97; and,

   (b) That the annual amounts quoted be financed from Current Budget Accounts CH 56332 31201 (Bennetto), CH 56332 31205 (Churchill), CH 56332 31210 (Dalewood), CH 56332 31250 (Westmount) and CH 56332 78238 Chedoke Twin Pad Arena; and,

   (c) That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.

3. That the Memorandum of Agreement dated 1997 February 27, between the Corporation of the City of Hamilton and the Canadian Union of Public Employees, Local 1041, be approved.

4. That approval be granted to authorize the destruction of various City of Hamilton Law Department Records as recommended by the City's Records Review Committee. The following records previously identified as "potentially archival" in the 1992 Municipal Archives Report are approved for destruction in accordance with the City's Retention and Destruction of Records By-law. The record series approved for destruction are as follows:

   (a) Contracts and Agreements (Under Seal)
   (b) Highways and Agreements
   (c) Labour Agreements
   (d) Legal Opinions
   (e) Organizations/Institutions
   (f) Real Estate Appraisals

5. That a by-law to authorize the use of Optical Scanning Vote Tabulators for the 1997 City of Hamilton Municipal Election be enacted by City Council.

6. (a) That as referred to in Section 23 of the Third Report for 1997 of the Transport and Environment Committee the Commissioner of Public Works and Traffic be authorized to prepare an appropriate By-Law in a form satisfactory to the City Solicitor to construct:

      (i) Independent Concrete Sidewalks on the North Side of Stone Church Road East from Upper Ottawa Street to approximately 550m Easterly (East Limit of 1249 Stone Church Road East) at an estimated gross cost of $73,000 with a City's Share of $19,591.96 to be financed from the provisional 1997 Capital Levy (Account Centre No. CH 22002) and the balance of $53,408.04 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years; and,

      (ii) Independent Concrete Sidewalks on the South Side of Stone Church Road East from Upper Ottawa Street to Dartnall Road at an estimated cost of $141,000 with the City's share of $55,859.56 to be financed from the provisional 1997 Capital Levy (Account Centre No. CH 22002) and the balance of $85,140.44 being the owner's share to be financed by the issuance of debentures for a period not to exceed 15 years; and,

   (b) That an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of $138,548.48 for a term not to exceed 15 years for the above projects.

7. That approval be granted for the hosting of a dinner reception by the Mayor, at Sackville Hill Seniors Centre, for the visiting delegates, teams, dignitaries and volunteers, following the World Women's Hockey Championship Game, featuring Team Russia vs Team China, on 1997 March 31 at an estimated cost of $2,400 to be charged to Account #CH54314-84010 Special Receptions.

8. (a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

   (i) 6 Cascade Street - Parcel A and B, Plan 1332

   (b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

9. (a) (i) That an Offer to Purchase (Tender Form), duly executed by Karl Ragoonanan and Wendy Archibald, on 1997 February 17 and scheduled to close on or before 1997 March 21, for the lands being firstly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Parts 6 and 8 on Plan 62R-13294 and secondly, part of Lot 14, Concession 8, in the Geographic Township of Barton, more specifically designated as Part 11, Plan 62R-13294, having frontage along the easterly limit of DiCenzo Drive, Hamilton, being irregular in shape and containing an area of 474 square metres (5,108.7 square feet) more or less, municipally known as 55 DiCenzo Drive, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $52,000 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

   (ii) That the required deposit cheque in the amount of $5,200 be held by the City Treasurer pending Council approval; and,

   (iii) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

   (iv) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

      (1) Satisfactory Notice has been given to the public of the intended sale; and,

(2) An appraisal of the fair market value of the real property intended to be sold was obtained on the 4th day of March 1997; and,

(3) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,

(b) (i) That the following City land be incorporated into the following street:

DiCenzo Drive - Part 12, Plan 62R-13294

(ii) That the By-law to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,

(iii) That the Commissioner of Transportation be authorized and directed to register the By-laws.

10. (a) That the Corporation of the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing 1996 November 2 and terminating on 2001 November 1; and,

(b) That the lease for the above space shall contain the following amending terms and conditions:

(i) Premises:

(1) The leased premises shall be reduced from 5,000 square feet to 2,500 square feet, upon approval of the lease amending and renewal agreement, through the construction of a demising wall and tenant improvements to be constructed by the Lessee to the satisfaction of the Canadian Football Hall of Fame and Museum Management Committee representative and the Director of Property; and,

(2) The leased premises shall have access to the existing washroom facilities for use by the tenant's employees; and,

(3) The portion of the existing leased premises no longer forming part of the new leased premises shall revert to the possession of the Canadian Football Hall of Fame and Museum upon the completion of said demising wall; and,

(ii) Term:

Five (5) years commencing 1996 November 2, terminating 2001 November 1; and,

(iii) Rent:

$10.50 per square foot (gross) effective 1996 November 2 to 1998 October 31. In October 1998 both parties will review the rent for an adjustment. Any adjustment in rent, up or down, must be based on market conditions at the time. There will be no change in rent unless market conditions have changed in excess of ten percent (10%). If the market conditions have not changed greater than ten percent (10%), then the rent will remain at $10.50 per square foot until 2001 October 31. If the market conditions have changed greater than ten percent (10%), then the adjusted rent, as determined by the change in market conditions, will remain in effect until 2001 October 31. The market conditions will be determined by the use of two independent appraisers, one selected by the Canadian Football Hall of Fame and Museum and the other selected by the Credit Union. These two appraisers must attempt to reach an agreement. If they are not able to do so, then these two appraisers will select a third appraiser who will determine the market conditions and the third appraisal will be binding on both parties; and,

(iv) Additional Terms:

(1) The Lessee will pay for its share of the increase in operating costs over the 1996 Base Year; and,

(2) As well the Credit Union will agree to pay any increase in property taxes that result from the leasehold improvements made to the space as occupied by the Credit Union; and,

(v) Option to Renew:

There will be an option to extend the rental agreement from 2001 November 2 until 2006 November 1 at a rent to be established by market conditions as at the month of 2001 October. The Canadian Football Hall of Fame and Museum will continue to have the right to terminate the lease as at 2001 November 1, provided that written notice is provided to the other party six months prior to 2001 November 1. If such notice is given by the Canadian Football Hall of Fame and Museum, the following conditions apply:

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 MARCH 11
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

BILL NO. A-13

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Jackson		Eastbound	Westbound	Spring."

2. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Haddon	West	Main to 277 feet northerly		Anytime
Franklin	South	commencing 41 feet east of the east curb line of East 27th and extending 61 feet easterly therefrom	7am - 6pm	Mon - Sat
Franklin	South	Upper Sherman to 318 feet westerly		Anytime
Kenora	West	commencing 99 feet north of the north curb line of Janet and extending 139 feet northerly therefrom		Anytime
Kenora	West	commencing at the north curb line of Village and extending 67 feet northerly therefrom		Anytime."

and by deleting therefrom the following items, namely:-

"Franklin	South	Upper Sherman to 300 ft. West		Anytime
Kenora	West	commencing at a point 99 feet north of the north curb line of Janet to a point 104 feet northerly		Anytime
Kenora	West	commencing at a point 38 feet north of the north curb line of Village to a point 64 feet southerly therefrom		Anytime."

3. **Schedule 31 (School Bus Loading Zones)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Queensdale	North	50 feet	commencing 173 feet east of Prince George	7:00 a.m. - 6:00 p.m. Monday to Saturday."

4. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by adding thereto the following item, namely:-

"King	South	40 feet	commencing 92 feet east of Haddon	Anytime."

PASSED this *11th* day of *March* A.D. 1997.

CITY CLERK MAYOR

BILL NO. A-14

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following item, namely:-

"Gladstone	East	Main to Deleware	2 hr	8 am - 8 am (24 hr)	Mon - Fri."

2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Gladstone	West	Cumberland to Deleware	Anytime
Delbrook	North	Stroud to the west curb line of Delbrook	Anytime
Central	North	Parkdale to 119 feet east of Beland	Anytime."

and by deleting therefrom the following items, namely:-

"Gladstone	West	Main to Cumberland		Anytime
Central	North	Parkdale to Reid		Anytime
Poulette	East	From 60 ft. north of Canada to 45 northerly	7 am - 6 pm	Mon - Sat."

3. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Gladstone Avenue Main Street to Delaware Avenue	West	East."

4. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Stapleton	West	from 267 feet south of Grenfell and extending 17 feet southerly therefrom	Anytime
Stapleton	East	from 191 feet south of Grenfell and extending 19 feet southerly therefrom	Anytime
Mary	East	from 98 feet south of Macauley and extending 18 feet southerly therefrom	Anytime
Weir	East	from 31 feet south of Britannia and extending 26 feet southerly therefrom	Anytime
East 13th	West	from 34 feet south of Mountville and extending 20 feet southerly therefrom	Anytime

East 13th	East	from 37 feet south of Mountville and extending 20 feet southerly therefrom	Anytime
Keith	North	from 176 feet east of Emerald and extending 18 feet easterly therefrom	Anytime."

PASSED this *11th* day of *March* A.D. 1997.

CITY CLERK MAYOR

Bill No. *A-15*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO REPEAL CITY BY-LAW 97-007
REFERRED TO AS PALACE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted on 1997 January 28 By-Law 97-007 to incorporate the land described therein into the highway known as Palace Boulevard;

AND WHEREAS the said By-Law 97-007 has not been registered, and includes inaccurate reference to the subject lands;

NOW THEREFORE,

1. By-Law 97-007 is hereby repealed.

PASSED this *11th* day of *March* A.D. 1997

City Clerk Mayor

Bill No. A-16

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 8 ON PLAN 62R-12439 AND
PARTS 1, 2 & 3 ON PLAN 263314 L.T.
INTO PALACE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Palace Boulevard within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Palace Boulevard.

   Part of Lot 3, Concession 6 in the geographic Township of Barton designated as Part 8 on Plan 62R-12439 and Parts 1, 2, & 3 on Plan 263314 L.T.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this *11th* day of *March* A.D. 1997

City Clerk Mayor

Bill No. *A -17*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO STOP-UP AND CLOSE A PORTION OF GERRARD STREET DESIGNATED AS PARTS 6 & 7 ON PLAN 62R-12643 AND TO RETAIN PARTS 1 & 2 ON PLAN 62R-13793 AND TO SELL THE REMAINDER OF GERRARD STREET BEING CLOSED

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 39 of the 15th Report of the Transport and Environment Committee on 1996 November 12 authorized the City to stop-up, close and sell that portion of Gerrard Street designated as Parts 6 & 7 on Plan 62R-12643 except Parts 1 & 2 on Plan 62R-13973.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That a portion of Gerrard Street lying west of Sherman Avenue designated as:
   Parts 6 & 7 on Plan 62R-12643.

   City of Hamilton
   Regional Municipality of Hamilton-Wentworth

   Are hereby stopped and closed.

2. That a portion of Gerrard Street being closed designated as Parts 1 & 2 on Plan 62R-13793 be retained.

3. That the remainder of Gerrard Street being closed designated as Parts 6 & 7 on Plan 62R-12643 except Parts 1 & 2 on Plan 62R-13793 along with other lands be sold to Philips Enterprises Inc. as approved by City Council on 1996 November 12 in adopting Item 39 of the 15th Report of the Transport & Environment Committee for the sum of $348,750.

4. That this By-Law shall come to force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this *11th* day of *March* A.D. 1997

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 8-10 BRANTDALE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) notwithstanding Section 10.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height;

(b) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling, a side yard along each side lot line of a width of at least 0.91 m (3.0 ft.) shall be provided and maintained;

(c) notwithstanding Section 10.(4)(i) of Zoning By-law No. 6593, each lot for a single-family dwelling shall have a minimum lot width of 9.0 m (30 ft.) and an area of at least 275 m^2 (2960 S.F.);

(d) the total gross floor area of all dwelling units or parts thereof on each lot shall not exceed 0.45 times the lot area;

(e) notwithstanding Section 2.(2)J.(viiia) of Zoning By-law No. 6593, "Gross Floor Area" is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

i) an attached garage;
ii) a detached garage; and,
iii) the floor occupied by heating, air conditioning and laundry equipment;

(f) for the purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9;

(g) in addition to the requirements of Section 18A of Zoning By-law No. 6593, where a dwelling is constructed with an attached garage, then the finished level of the private garage floor shall be a minimum of 0.3 metres above grade;

(h) a visual barrier not less than 1.2 m to 2.0 m in height shall be provided and maintained along a lot line that abuts a commercial district;

(i) any visual barrier along any side lot line shall be setback a minimum of 2.0 m from the front lot line; and,

(j) Section 18.(2)(i) of Zoning By-law No. 6593 shall not apply to the subject lands.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1373.

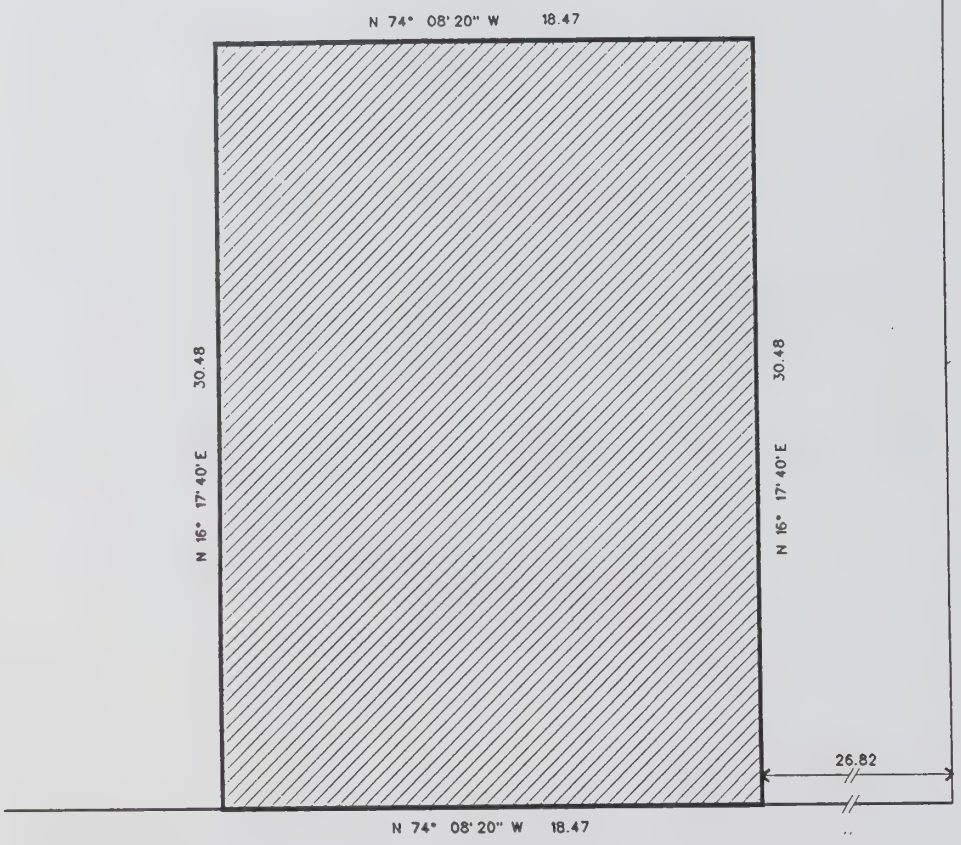
5. Sheet No. W-7 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1373.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 1 R.P.D.C., 1, January 28
City Initiative
CI-96-K



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By-Law No. 97-____

to Amend By-Law No. 6593

Planning and Development Department

Legend
Change in Zoning from :

"G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified.

North	Scale	Reference File No.
	NOT TO SCALE	CI-96-K
	Date	Drawn By
	Jan. 1997	W. B.

Bill No. D-10

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize

THE USE OF OPTICAL SCANNING VOTE TABULATORS

WHEREAS the Municipal Elections Act, 1996 was enacted by the Better Local Government Act, (Statutes of Ontario, 1996, Chapter 32);

AND WHEREAS Council, on August 27, 1996 in adopting Section 31 of the Fourteenth Report of the Finance and Administration Committee authorized the rental of Optical Scanning Poll Level Tabulation Units for the 1997 Municipal Election;

AND WHEREAS Section 42 of the Municipal Elections Act, 1996, permits a Council to authorize the use of Optical Scanning Poll Level Tabulators;

AND WHEREAS Council, on March 11, 1997, in adopting Section 5 of the Fourth Report of the Finance and Administration Committee authorized the By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Council hereby authorizes the City Clerk to use Optical Scanning Poll Level Tabulators for any future City Election.

PASSED this 11th day of March , 1997.

CITY CLERK MAYOR

Bill No. *D-11*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 12, ON PLAN 62R-13294
INTO DICENZO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Dicenzo Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Dicenzo Drive.

   Part of Lot 14 Concession 8, in the geographic Township of Barton designated as Part 12 on Plan 62R-13294.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

BY-LAW NO. 97 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF MARCH, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of March 1997

CITY CLERK

MAYOR

URBAN\MUNICIPAL
CA 4ONHBL A05
A31
1997

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1997 March 25
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
City Clerk

A G E N D A

1. ***National Anthem.***

2. ***Opening Prayer*** — ***Rabbi Morton Green, Adas Israel Synagogue***

3. ***PRESENTATIONS***
   CERTIFICATE OF RECOGNITION — ***Bill Sharp, President and CEO of Lakeport Brewing Corporation***

4. ***Adoption of the minutes of the meeting held 1997 March 11 and the special meeting held 1997 March 18.***

5. ***Correspondence***

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

6. ***Reports of the Standing Committees:***

   (b) Parks and Recreation Committee
   (c) Planning and Development Committee
   (d) Finance and Administration Committee

7. ***Notices of Motion for next meeting.***

8. ***Question Period.***

9. ***Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1997 March 11
8:00 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman W. McCulloch - civic business

Mayor Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was played.

* * * * * * * * * * * *

Reverend Father Ephrem Adde, St. Mark's Syrian Orthodox Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held:

1997 February 25, (regular meeting)

1997 February 28, (special meeting)

1997 March 3, (special meeting) were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to the following who served as a member on the Committee noted.

David Beland - Hamilton Historical Board
Gary Ostofi - Mayor's Committee Against Racism and Discrimination
Walter Peace - Hamilton Historical Board
Marvin Ryder - Hamilton Entertainment & Convention Facilities Inc.

* * * * * * * * *

Mayor R. M. Morrow presented Certificates of Recognition to the following organizations in recognition of their financial contributions to the 1996 Keep Hamilton Blooming Programme as Red Petunia Level Donors:

CHML 900/Y95 - Stan Genno

Connon Nurseries - Cor Vanderkruk

Frank Butty Ltd. - Frank Butty

Hamilton District Christian High School - Jim Vanderkooy

Lafarge Canada Inc. - Sam Dinning

CORRESPONDENCE

1. Application dated 1997 March 3 from Wesley Community Homes Inc., 195 Ferguson Avenue North, Hamilton, Ontario for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for 195 Ferguson Avenue North, Hamilton, Ontario.

   Received.

2. Application dated 1997 March 6 from Rosart Properties re: Official Plan Amendment and Zoning Application 97-08 for lands located west of Upper James Street east of West 5th and north of 1550 Upper James Street (South Hamilton Square).

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 11 Re: East side of East 13th Street - Mountville Avenue

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 11 of the Third Report of the Transport and Environment Committee for 1997 be amended by deleting the following in Sub-Section (a):

"and on the east side of East 13th Street commencing 37 feet south of Mountville Avenue and extending to a point 20 feet southerly therefrom," **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FOURTH REPORT

Section 4 Re: Sale of 411 - 413 Britannia Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps -1. **CARRIED.**

* * * * * * * * * * *

Rule No. 9 Re: Demolition Permits

It was moved by Alderman Drury and seconded by Alderman D'Amico that Rule No. 9 be invoked in order to permit consideration of a resolution respecting the issuance of demolition permits for 1605 Upper Sherman Avenue, 1621 Upper Sherman Avenue, and 675 Rymal Road East. **CARRIED.**

* * * * * *

Section 10 Re: Demolition Permits

It was moved by Alderman Drury and seconded by Alderman D'Amico that the following be added as Section 10 of the FOURTH Report of the Planning and Development Committee for 1997:

10. That the Building Commissioner be authorized to issue demolition permits for the following properties in accordance with By-Law 74-290 pursuant to Section 33 of the Planning Act, as amended:

    (a) 1605 Upper Sherman Avenue; and
    (b) 1621 Upper Sherman Avenue; and
    (c) 675 Rymal Road East

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - FOURTH REPORT

Rule No. 9 Re: Declaration of Surplus Properties

It was moved by Alderman Ross and seconded by Alderman Anderson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the declaration of surplus properties.

CARRIED.

* * * * * *

Section 15 Re: Declaration of Surplus Properties

It was moved by Alderman Ross and seconded by Alderman Anderson that the following be added as Section 15 of the Fourth Report for 1997 of the Finance and Administration Committee:

15. (a) That the following properties be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 467 Charlton Avenue East
(ii) 81/90 Kinrade Avenue, Car Park #12B,C
(iii) 11 Cheever Street, Car Park #46B
(iv) 897 Barton Street East, Car Park #54
(v) 314 Grosvenor Avenue North, Car Park #39A

(b) That the Property Department be authorized to proceed to sell these properties in accordance with the Realty Sales Procedural By-law. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 8:25 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 March 11
JJS/dg

Minutes of Hamilton City Council
Tuesday, 1997 March 18
7:10 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* *

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - FOURTH REPORT

1997-2006 Capital Budget

It was moved by Alderman Kiss and seconded by Alderman Agro that the Report of the Committee of the Whole on the Reports of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 7:15 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 March 18
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FOURTH** Report for 1997 and respectfully recommends:

1. (a) (i) That the City of Hamilton 1997 Capital Budget and the 1998-2006 Capital Forecast as outlined on Appendix "A" and "B" attached hereto, representing the following financial parameters, be approved:

(1) the average debenture charges expressed as a percentage of levy be 12.00% for the ten (10) year period; and

(2) the average compound rate of increase per year in debenture charges be 1.59%.

(ii) That the provision for capital levy with specific reference to the "Pay-As-You-Go" policy, be maintained at the same level as last year with a two mill capital levy in 1997, a two mill capital levy in 1998, a three mill capital levy in 1999, a four mill capital levy in 2000, a five mill capital levy in 2001 and a six mill capital levy in 2002 through 2006; and,

(iii) (1) That the 1997 projects be approved for implementation as outlined on the following pages: (Schedule "A" - Page 1 and 2 - Municipal Projects and Page 14 - the Parking Authority Projects) indicating the method of financing, and that the originating Department Heads be directed to proceed with these projects; and

(2) That the City Solicitor be authorized to prepare the appropriate by-laws for Projects Nos. 78.0, 79.0, 128.1, 142.0, 156.0, 168.0, 193.0 and 194.0 (Schedule "A" - Pages 1 and 2 - Column 18) with debenture financing in the total amount of $10,581,000; and

(3) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed ten years as required for the above Project noted in (2) requiring debenture financing for the year 1997.

(iv) That the City Treasurer be authorized to cancel the provision for the City's Cost of 2001 Canada Summer Games in the amount of $1,500,000 as authorized under Section 1 of the Fifth Report of the Committee of the Whole adopted by Council 1996 August 27; and,

(v) That the following list of 1997 projects be incorporated as a part of the regular Capital Budget and be approved replacing the provision made in relation to the 2001 Canada Summer Games and that these projects be financed from the Reserve for Capital Projects Account Centre No. CH 00203, and the originating Department Heads be directed to proceed:

Project No.	Description	Operating Amount	Cost
205.0	Park Development and Redevelopment Program - Additional	$ 800,000	$50,000
206.0	Chedoke Twin Pad Arena - Incremental upgrades for operational improvements	80,000	-
207.0	Scott Park Arena - Incremental addition for operational improvements	60,000	500
208.0	The Children's Museum - Incremental addition for operational improvements	75,000	-
209.0	Central Memorial Recreation Centre - Renovations	485,000	-
		$1,500,000	$50,500

(vi) That the Downtown Partnership Project (Project No. 5.5) for implementation in 1997, be revised at a gross cost of $180,000, with the City's cost of $60,000 being financed from the Reserve for Capital Projects and the balance of $60,000 from the Regional Municipality of Hamilton-Wentworth, and $60,000 from private sector contributions; and,

(vii) That the following additional H.E.C.F.I. capital projects which initially required City mill rate based funding be included as a part of the 1997-2006 Capital Budget with financing to come from the Reserve for Capital Projects -H.E.C.F.I. and be considered for implementation subject to the availability of funds in the reserve:

Project No.	Description	Year of Original Funding Request	Cost
187.0	Hamilton Place - Great Hall Seating Replacement	1998-99	$540,000
189.0	Copps Coliseum - Modify & Refurbish Electronic Sign	2000	300,000

190.0	Hamilton Convention Centre - Roofing System Replacement	2002	390,000
191.0	Hamilton Convention Centre - Carpet Replacement	2003	325,000
192.0	Copps Coliseum - Roofing System Replacement	2006	600,000
			$2,155,000

(viii) (1) That the Downtown Hamilton Improvement Plan Phase I (Project No. 87.1) at an estimated gross cost of $2,546,000 be incorporated as a part of the 1997-2006 Capital Budget for implementation in 1997 and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

(2) That the 1997 Downtown Streetscaping (Project No. 87.5) for $200,000 and, Downtown Pedestrian Friendly Improvements (Project No. 183.1 to 183.4) for $500,000 each year for four years, 1998 through 2001, to a total of $2,000,000, be deleted from the 1997-2006 Capital Budget.

(3) That the balance of the Downtown Hamilton Improvement Plan - Phase II to Phase V, at a net total City cost of $5,721,000 (Project Nos. 87.6 to 87.9 details of which are included in Schedule "B".) as enclosed, not be recommended for funding within the ten year plan and be subject to future consideration.

(ix) That the Art Gallery of Hamilton Capital Project for the implementation of Collection Protection Project - Repairs to Building Envelope at a gross cost of $1,460,500 with Federal funding of $425,000, Art Gallery of Hamilton's share of $517,500 and the balance of the net City contribution of $518,000 (Project No. 184.6) be added to the 1997 Capital Budget and be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

(x) That staff be directed to bring back a supplementary list of projects for consideration in relation to the new Canada/Ontario Infrastructure Program if introduced and available.

2. That the cost of the replacement of vehicles in 1997 as noted below in the total estimated replacement cost of $1,716,350 be funded from the Reserve for Replacement of Mobile Equipment, Account Centre No. CH 00101:

City Garage	10 vehicles	$ 260,000
Fleet Services	12 vehicles	$ 394,000
Fleet Services	37 misc. equip.	$1,062,350

3. (a) That the City of Hamilton provide funding in the amount of $2,000 to host a reception for Les Violons Du Roy, a fifteen String Chamber Orchestra from Quebec City on April 10th, 1997 at 8:00 o'clock p.m. at the DuMaurier Ltd. Centre (Theatre Aquarius)

(b) That the funding in the amount of $2,000 to be charged to Account No. CH54314-84010 (Reception Delegate Hosting Account).

4. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-3 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 March 18

Appendix "A" as referred to in Section 1 of the FOURTH Report of the Committee of the Whole for 1997.

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		1997 PROJECTS																	
1.0	HD	DOWNTOWN HAMILTON HOMES ASSISTANCE PROGRAM	1997	1998	700		700										RCP		
2.0	HD	MUNICIPAL NON-PROFIT HOUSING CORP – LAND BANKING	1997	1997	1,000	1,000											RPP		
5.5	CAO	DOWNTOWN PARTNERSHIP	1997	1997	180	120	60										RCP		
6.0	CMT	YEAR 2000 CONVERSION PROJECT	1997	1998	150		150										RCP		
7.0	CMT	COMPUTER SOFTWARE – CORPORATE WINDOWS UPGRADE	1997	1998	138		138										CL		
9.0	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE-TO-RENT LOAN PROG.	1997	1998	200		200										RCP		
11.0	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1997	1997	440		440										CL		
12.0	PROP	CUP – HECFI CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1997	1997	90		90										CL		(12)
14.0	PROP	HILL PARK POOL – MECHANICAL/ELECTRICAL REFURBISHING	1997	1997	289		289										RCP		
15.0	PROP	CITY HALL – REPLACEMENT OF BOILERS	1997	1997	145		145										CL		(5)
19.0	PROP	CITY HALL – REPLACEMENT OF ROOF – PHASE II	1997	1997	300		300										RCP		
20.0	PROP	RINK BOARD REPLACEMENT	1997	1997	180		180										RCP		
21.0	PROP	WESTMOUNT RECREATION CENTRE – REPLACEMENT OF ROOF	1997	1997	120		120										RCP		
24.0	PROP	125 BARTON ST W-EMBANKMENT STABILIZATION-GROUNDS MAINT.	1997	1999	275		275										RCP		2
54.0	FIRE	VEHICLE / APPARATUS REPLACEMENT	1997	1997	169		169										RRME		
63.0	PWD-F	REPLACEMENT OF COMPUTERIZED FUEL CONTROL SYSTEM	1997	1997	174		174										CL		
64.0	PWD-F	VEHICLE REPLACEMENT PROGRAM	1997	1997	2,456		2,456										RRME		
66.0	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1997	1997	800		800										RSTUL		20
69.1	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	1997	1997	60		60										CL		
73.1	PWD-T	TRAFFIC SIGN REPLACEMENT	1997	1997	75		75										RCP		
74.0	PWD-T	TRAFFIC SIGNAL MODERNIZATION	1997	1997	60		60										RCP		
75.0	PWD-S	CITY'S SHARE OF LOCALS – RESIDENTIAL	1997	1997	250		250										CL		
78.0	PWD-S	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM – PHASE II	1997	1997	700		700										DEB	100	
79.0	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1997	1997	6,671		6,671										DEB	950	
87.1	PWD-S	DOWNTOWN HAMILTON IMPROVEMENT PLAN – PHASE I	1997	1997	2,546		2,546										RCP		17
91.1	C&R	RISK MANAGEMENT – VARIOUS CULTURAL & RECREATION FACILITIES	1997	1997	400		400										CL		

1997 March 18

223

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		1997 PROJECTS – Continued																	
92.1	C&R	OUTDOOR AND LANDSCAPING UPGRADES, CULTURAL & REC FACILITIES	1997	1997	100		100										RCP		
93.0	C&R	WHITEHERN STONE WALL REHABILITATION	1997	1997	80		80										RCP		
94.0	C&R	TWIN PAD ARENA CHANGE ROOMS DEHUMIDIFICATION AND REPAIRS	1997	1997	80		80										CL		
95.0	C&R	INSTALLATION OF GAS DETECTORS, ARENAS	1997	1997	100		100										RCP		
97.0	C&R	CONCESSION EXPANSION – TWIN PAD ARENA	1997	1997	20		20										RCP		(5)
103.1	C&R	PUBLIC ART PROGRAMME	1997	1997	35		35										RCP		4
128.1	PWD–P	HAMILTON HARBOUR WATERFRONT TRAIL – PHASE I	1997	1997	1,000		1,000										DEB	142	70
128.2	PWD–P	HAMILTON HARBOUR WATERFRONT TRAIL – PHASE II	1997	1997	3,000	3,000													
129.0	PWD–P	PLAYSTRUCTURE REDEVELOPMENT (SEE NOTE 1 BELOW)	1997	1997	167	17	150										RPL		1
132.0	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1997	1997	600		600										RPL		38
134.0	PWD–P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	1997	1997	61	11	50										RPL		5
136.0	PWD–P	C. P. LANDS – ACQUISITION AND DEVELOPMENT	1997	1997	1,600		1,600										RPL/RDC		30
138.0	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMEN	1997	1997	50		50										RCP		
140.0	PWD–P	GAGE PARK – WATER SPRAY PAD	1997	1997	110	110													
142.0	PWD–P	MOHAWK SPORTS PARK DEVELOPMENT – PHASE I	1997	1997	240		240										DEB	34	16
147.0	PWD–P	TURNER PARK DEVELOPMENT PHASE II	1997	1997	230		230										CL		10
156.0	PWD–P	MACASSA PARK REDEVELOPMENT	1997	1997	333		333										DEB	47	9
168.0	PWD–C	DOWNTOWN PHASE OF FERGUSON AV MASTER PLAN – PEDESTRIAN/BIKE LINK	1997	1997	780		780										DEB	111	43
170.0	PWD–C	BARTON STREET REVITALIZATION (SEE NOTE 2 BELOW)	1997	1997	230	230													35
184.6	GRANTS	ART GALLERY OF HAMILTON – COLLECTION PROTECTION PROJECT	1997	1997	1,460.5	942.5	518										RCP		
185.0	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1997	1997	265		265										RCP–H		
193.0	HPL	WESTDALE BRANCH LIBRARY	1997	1997	666		666										Deb/RCP–L	57	
194.0	HPL	BARTON BRANCH LIBRARY – RENOVATION	1997	1998	457		52	405									DEB	65	
		Sub–total 1997 PROJECTS (NET CITY COSTS – 24,802)			30,233	5,431	24,397	405	0	0	0	0	0	0	0	0		1,506	278

NOTE: 1. RECENTLY APPROVED INFRASTRUCTURE PROGRAM HAS A PROVISION FOR ADDITIONAL PLAYSTRUCTURE DEVELOPMENT FOR $300,000

NOTE: 2. HAMILTON HYDRO ELECTRIC SYSTEM WILL SPEND $400,000 UNDER THIS PROGRAM

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		1998 PROJECTS																	
3.1	HD	MUNICIPAL NON-PROFIT HOUSING CORP – LAND BANKING	1998	1998	1,000	1,000											RPP		
5.0	CLERK	ELECTION SYSTEM REPLACEMENT AND ACQUISITION	1998	2000	825			100	725								DEB	117	
10.1	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE-TO-RENT LOAN PROGRAM	1998	1998	200			200									CL		
13.0	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1998	1998	342			342									CL		
16.0	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	1998	1998	50			50									CL		
17.0	PROP	BALFOUR ESTATE – BUILDING ENVELOPE RESTORATION	1998	1998	193			193									CL		
22.0	PROP	CITY HALL – ELEVATOR RETROFIT	1998	1998	452			452									DEB	64	9
23.0	PROP	CITY HALL – COUNCIL CHAMBER REFURBISHING	1998	1998	125			125									CL		
25.1	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1998	1998	600			600									DEB/RCP	71	
26.1	PROP	CUP – REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1998	1998	90			90									CL		
27.0	PROP	CENTRAL FIRE STATION – MECHANICAL/ELECTRICAL RETROFIT	1998	1998	241			241									CL		
28.1	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	1998	1998	50			50									CL		
36.1	PROP	CUP – BUILDING AUTOMATION SYSTEM UPGRADE – PHASE II	1998	1998	30			30									RCP		
56.1	FIRE	VEHICLE / APPARATUS REPLACEMENT	1998	1998	1,870			1,870									RRME		
65.1	PWD-F	VEHICLE REPLACEMENT PROGRAM	1998	1998	2,530			2,530									RRME		
67.1	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1998	1998	840			840									RSTUL		
69.2	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	1998	1998	61			61									RCP		
71.0	ROAD	STORM WATER NATURAL RETENTION SYSTEM – RYMAL ROAD EAST	1998	1998	250			250									RDC		
73.2	PWD-T	TRAFFIC SIGN REPLACEMENT	1998	1998	75			75									RCP/CL		
74.1	PWD-T	TRAFFIC SIGNAL MODERNIZATION	1998	1998	62			62									RDC		
76.1	PWD-S	CITY'S SHARE OF LOCALS – RESIDENTIAL	1998	1998	250			250									CL		
80.1	PWD-S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1998	1998	7,215			7,215									DEB	1,027	
90.1	C&R	IRRIGATION SYSTEMS – HAMILTON CIVIC GOLF COURSES	1998	1998	356			356									DEB	51	
91.2	C&R	RISK MANAGEMENT – VARIOUS CULTURAL AND RECREATION FACILITIES	1998	1998	400			400									RCP		
92.2	C&R	OUTDOOR AND LANDSCAPING UPGRADES, CULTURAL & REC FACILITIES	1998	1998	100			100									CL		
96.1	C&R	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	1998	1998	90			90									CL		

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		1998 PROJECTS – Continued																	
103.2	C&R	PUBLIC ART PROGRAMME	1998	1998	35			35									CL		4
104.0	C&R	LIGHTING SAFETY – ENHANCEMENTS	1998	1998	62			62									CL		
130.1	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	1998	1998	161	11		150									RPL		1
131.1	PWD–P	PLAYSTRUCTURE REDEVELOPMENT – ADDITIONAL	1998	1998	100			100									RDC		1
133.1	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1998	1998	600			600									RPL		38
135.1	PWD–P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	1998	1998	61	11		50									RPL		5
137.1	PWD–P	PARKLAND ACQUISITION	1998	1998	500			500									RPL		16
139.1	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMEN	1998	1998	50			50									CL		
186.1	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1998	1998	405			405									RCP–H		
187.0	HECFI	HAMILTON PLACE – GREAT HALL SEATING REPLACEMENT	1998	1999	540			300	240								RCP–H		
188.0	HECFI	HAMILTON PLACE – REPLACEMENT OF CARPET	1998	1998	200			200									RCP–H		
195.0	HPL	CENTRAL LIBRARY RENOVATIONS – DESIGN PHASE	1998	1998	72			72									CL		
		Sub–total 1998 PROJECTS (NET CITY COSTS – 20,061)			21,083	1,022	0	19,096	965	0	0	0	0	0	0	0		1,330	74
		1999 PROJECTS																	
3.2	HD	MUNICIPAL NON–PROFIT HOUSING CORP – LAND BANKING	1999	1999	1,000	1,000											RPP		
10.2	BLDG	HAMILTON DOWNTOWN CONVERT/RENOVATE–TO–RENT LOAN PROGRAM	1999	1999	200				200								CL		
18.0	PROP	WEST AVENUE SCHOOL – RETROFIT HEATING SYSTEM	1999	1999	198				198								RCP/CL		(4)
25.2	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1999	1999	600				600								DEB/RCP	71	
26.2	PROP	CUP – REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1999	1999	90				90								CL		
28.2	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	1999	1999	50				50								CL		
30.0	PROP	BENNETTO RECREATION CENTRE – REPLACEMENT OF ROOF	1999	1999	116				116								CL		
32.0	PROP	CHURCHILL RECREATION CENTRE–MECHANICAL/ELECTRICAL RETROFIT	1999	1999	203				203								CL		
34.0	PROP	LIBRARY/MARKET – BOILER RETROFIT	1999	1999	217				217								CL		(20)
35.0	PROP	WEST AVENUE SCHOOL – REPLACEMENT OF ROOF	1999	1999	166				166								CL		

1997 March 18

226

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		1999 PROJECTS – Continued																	
55.0	FIRE	PUBLIC SAFETY TRUNKING RADIO – Increased Cost	1999	1999	420				420								DEB	60	
56.2	FIRE	VEHICLE / APPARATUS REPLACEMENT	1999	1999	160				160								RRME		
60.0	FIRE	SECOND APPARATUS DOOR AT TWO FIRE STATIONS	1999	1999	98				98								CL		1
61.0	FIRE	FIRE STATION – WOODWARD & MELVIN – DESIGN & CONSTRUCTION	1999	2000	2,557				216	2,341							DEB	364	
65.2	PWD–F	VEHICLE REPLACEMENT PROGRAM	1999	1999	2,606				2,606								RRME		
67.2	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1999	1999	882				882								RSTUL		
69.3	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	1999	1999	62				62								CL		
72.0	ROAD	REHABILITATION OF LOCK STREEET BRIDGE (# 1082)	1999	1999	40				40								CL		
73.3	PWD–T	TRAFFIC SIGN REPLACEMENT	1999	1999	75				75								CL		
74.2	PWD–T	TRAFFIC SIGNAL MODERNIZATION	1999	1999	64				64								CL		
76.2	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	1999	1999	250				250								CL		
80.2	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	1999	1999	7,546				7,546								DEB	1,074	
90.2	C&R	IRRIGATION SYSTEMS – HAMILTON CIVIC GOLF COURSES	1999	1999	214				214								CL		
91.3	C&R	RISK MANAGEMENT – VARIOUS CULTURAL AND RECREATION FACILITIES	1999	1999	350				350								CL		
92.3	C&R	OUTDOOR AND LANDSCAPING UPGRADES, CULTURAL & REC FACILITIES	1999	1999	100				100								CL		
96.2	C&R	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	1999	1999	90				90								CL		
98.0	C&R	PERMANENT SIGNAGE, CULTURAL & REC FACILITIES	1999	1999	120				120								CL		
100.0	C&R	WALKER POOL – OUTDOOR POOLS REHABILITATION	1999	1999	995				995								DEB	142	43
103.3	C&R	PUBLIC ART PROGRAMME	1999	1999	35				35								CL		4
115.0	C&R	RESTORATION/ARCHITECTURAL FEATURES, HISTORICAL BUILDINGS	1999	1999	200	50			150								CL		
130.2	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	1999	1999	161	11			150								RPL		1
131.2	PWD–P	PLAYSTRUCTURE REDEVELOPMENT – ADDITIONAL	1999	1999	100				100								CL		1
133.2	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1999	1999	600				600								RDC/RPL		38
135.2	PWD–P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	1999	1999	61	11			50								RPL		5
137.2	PWD–P	PARKLAND ACQUISITION	1999	1999	500				500								RPL		16
139.2	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMEN	1999	1999	50				50								CL		

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		2002 PROJECTS – Continued																	
186.5	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2002	2002	200							200					RCP–H		
190.0	HECFI	HAMILTON CONVENTION CENTRE–ROOFING SYSTEM REPLACEMENT	2002	2002	390							390					RCP–H		
		Sub–total 2002 PROJECTS *(NET CITY COSTS – 30,401)*			31,423	1,022	0	0	0	0	0	22,488	4,913	3,000	0	0		2,337	129
		2003 PROJECTS																	
3.6	HD	MUNICIPAL NON–PROFIT HOUSING CORP – LAND BANKING	2003	2003	1,000	1,000											RPP		
25.6	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2003	2003	800								800				RCP		
26.6	PROP	CUP – REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2003	2003	110								110				CL		
28.6	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	2003	2003	50								50				CL		
29.3	PROP	ENERGY MANAGEMENT PROJECTS	2003	2003	300								300				CL		(45)
50.0	PROP	ROSEDALE ARENA – MECHANICAL/ELECTRICAL RETROFIT	2003	2003	386								386				CL		(5)
56.6	FIRE	VEHICLE / APPARATUS REPLACEMENT	2003	2003	935								935				RRME		
65.6	PWD–F	VEHICLE REPLACEMENT PROGRAM	2003	2003	2,933								2,933				RRME		
67.6	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2003	2003	1,072								1,072				RSTUL/RDC		
69.7	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2003	2003	66								66				CL		
72.5	ROAD	SUBDIVISION WATERSHED PLAN OF TRIBUTARIES OF RED HILL CREEK	2003	2003	300								300				CL		
74.6	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2003	2003	72								72				CL		
77.2	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2003	2003	250								250				CL		
81.2	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2003	2003	9,160								9,160				DEB/CL	761	
83.3	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2003	2003	50								50				CL		
85.0	PWD–S	WATER TRUCK – TRAFFIC ISLAND PROGRAMME	2003	2003	68								68				CL		9
130.6	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2003	2003	161	11							150				RPL		1
133.6	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2003	2003	600								600				RDC/RPL		38
135.6	PWD–P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	2003	2003	61	11							50				RPL		5
137.6	PWD–P	PARKLAND ACQUISITION	2003	2003	500								500				RPL		16
139.6	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMEN	2003	2003	50								50				CL		

1997 March 18

232

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		2003 PROJECTS – Continued																	
145.2	PWD–P	WADING POOL CONVERSIONS	2003	2003	200								200				CL		0
179.0	PLAN	OFFICIAL PLAN REVIEW	2003	2005	250								250				CL		
182.0	PLAN	IMPLEMENTATION OF BEASLEY NEIGHBOURHOOD PLAN	2003	2003	93								93				CL		
186.6	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2003	2003	180								180				RCP–H		
191.0	HECFI	HAMILTON CONVENTION CENTRE – CARPET REPLACEMENT	2003	2003	325								325				RCP–H		
		Sub–total 2003 PROJECTS (NET CITY COSTS – 18,950)			19,972	1,022	0	0	0	0	0	0	18,950	0	0	0		761	19
		2004 PROJECTS																	
3.7	HD	MUNICIPAL NON–PROFIT HOUSING CORP – LAND BANKING	2004	2004	1,000	1,000											RPP		
25.7	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2004	2004	900									900			RCP		
26.7	PROP	CUP – REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2004	2004	120									120			CL		
28.7	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	2004	2004	50									50			CL		
29.4	PROP	ENERGY MANAGEMENT PROJECTS	2004	2004	300									300			CL		(45)
51.0	PROP	TRAFFIC OPERATIONS CENTRE – REROOFING	2004	2004	500									500			CL		
56.7	FIRE	VEHICLE / APPARATUS REPLACEMENT	2004	2004	515									515			RRME		
65.7	PWD–F	VEHICLE REPLACEMENT PROGRAM	2004	2004	3,021									3,021			RRME		
67.7	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2004	2004	1,126									1,126			RSTUL/RDC		
69.8	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2004	2004	67									67			CL		
74.7	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2004	2004	74									74			CL		
77.3	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2004	2004	250									250			CL		
81.3	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2004	2004	9,445									9,445			DEB/CL	771	
83.4	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2004	2004	50									50			CL		
96.4	C&R	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	2004	2004	100									100			CL		
118.0	C&R	WESTMOUNT RECREATION CENTRE – RECONSTRUCTION/EXPANSION	2004	2005	3,500									500	3,000		DEB	498	129
122.0	C&R	HAMILTON EAST KIWANIS	2004	2005	8,466	3,182								1,284	4,000		DEB	752	84
130.7	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2004	2004	161	11								150			RPL		1

1997 March 18

233

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		2004 PROJECTS – Continued																	
133.7	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2004	2004	600									600			RDC/RPL		38
135.7	PWD–P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	2004	2004	61	11								50			RPL		5
137.7	PWD–P	PARKLAND ACQUISITION	2004	2004	500									500			RPL		16
139.7	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMEN	2004	2004	50									50			CL		
144.0	PWD–P	TENNIS COURT RE–DEVELOPMENT	2004	2004	646									646			CL		0
186.7	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2004	2004	300									300			RCP–H		
		Sub–total 2004 PROJECTS (NET CITY COSTS – 27,598)			31,802	4,204	0	0	0	0	0	0	0	20,598	7,000	0		2,021	228
		2005 PROJECTS																	
3.8	HD	MUNICIPAL NON–PROFIT HOUSING CORP – LAND BANKING	2005	2005	1,000	1,000											RPP		
25.8	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2005	2005	900										900		CL		
26.8	PROP	CUP – REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2005	2005	120										120		CL		
28.8	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	2005	2005	50										50		CL		
29.5	PROP	ENERGY MANAGEMENT PROJECTS	2005	2005	350										350		RCP		(52)
48.0	PROP	BENNETTO RECREATION CENTRE – MECHANICAL/ELECTRICAL RETROFIT	2005	2005	180										180		CL		(2)
52.0	PROP	COPPS COLISEUM – STEAM TO HOT WATER CONVERSION – PHASE III	2005	2006	613										13	600	DEB	87	(5)
53.0	PROP	COPPS COLISEUM – STEAM TO HOT WATER CONVERSION – PHASE IV	2005	2006	312										12	300	DEB	44	
56.8	FIRE	VEHICLE / APPARATUS REPLACEMENT	2005	2005	749										749		RRME		
65.8	PWD–F	VEHICLE REPLACEMENT PROGRAM	2005	2005	3,111										3,111		RRME		
67.8	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2005	2005	1,182										1,182		RSTUL/RDC		
74.8	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2005	2005	76										76		CL		
77.4	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2005	2005	250										250		RCP		
81.4	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2005	2005	9,739										9,739		DEB/CL	953	
83.5	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2005	2005	50										50		CL		
124.0	C&R	SOUTH MOUNTAIN LIBRARY/RECREATION CENTRE	2005	2006	16,900										8,900	8,000	DEB/RDC	1,931	1,146
130.8	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2005	2005	161	11									150		RPL		1
133.8	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2005	2005	600										600		RDC/RPL		38

1997 March 18

234

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		2005 PROJECTS – Continued																	
135.8	PWD–P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	2005	2005	61	11									50		RPL		5
137.8	PWD–P	PARKLAND ACQUISITION	2005	2005	500										500		RPL		16
139.8	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMEN	2005	2005	50										50		CL		
148.0	PWD–P	TURNER PARK DEVELOPMENT PHASE III	2005	2005	1,420										1,420		CL		60
180.0	PLAN	PROPERTY ACQUISITION PROGRAM – STAPLETON ENCLAVE	2005	2005	475	100									375		CL		
186.8	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2005	2005	300										300		RCP–H		
		Sub–total 2005 PROJECTS (NET CITY COSTS – 38,027)			39,149	1,122	0	0	0	0	0	0	0	0	29,127	8,900		3,015	1,207
		2006 PROJECTS																	
3.9	HD	MUNICIPAL NON–PROFIT HOUSING CORP – LAND BANKING	2006	2006	1,000	1,000											RPP		
25.9	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2006	2006	1,000											1,000	CL		
26.9	PROP	CUP – REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2006	2006	130											130	CL		
28.9	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	2006	2006	50											50	CL		
29.6	PROP	ENERGY MANAGEMENT PROJECTS	2006	2006	350											350	RCP		(53)
56.9	FIRE	VEHICLE / APPARATUS REPLACEMENT	2006	2006	60											60	RRME		
65.9	PWD–F	VEHICLE REPLACEMENT PROGRAM	2006	2006	3,205											3,205	RRME		
67.9	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2006	2006	1,241											1,241	RSTUL		
74.9	PWD–T	TRAFFIC SIGNAL MODERNIZATION	2006	2006	78											78	CL		
77.5	PWD–S	CITY'S SHARE OF LOCALS – RESIDENTIAL	2006	2006	250											250	RCP		
81.5	PWD–S	ROADWAYS AND SIDEWALKS RECONSTRUCTION PROGRAM	2006	2006	10,031											10,031	DEB/CL	833	
83.6	PWD–S	CONSTRUCTION – MAINTENANCE OF CITY'S PARKING LOTS	2006	2006	50											50	CL		
86.0	PWD–S	MOTOR VEHICLE REQUIREMENTS – SIGNALS AND HOISTS	2006	2006	72											72	CL		
87.0	PWD–S	ENHANCED STREETSCAPING	2006	2006	72											72	CL		12
88.0	PWD–S	FORESTRY RENOVATION – UPPER OTTAWA YARD	2006	2006	90											90	CL		
130.9	PWD–P	PLAYSTRUCTURE REDEVELOPMENT	2006	2006	161	11										150	RPL		1
133.9	PWD–P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2006	2006	600											600	RDC/RPL		38
135.9	PWD–P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	2006	2006	61	11										50	RPL		5
137.9	PWD–P	PARKLAND ACQUISITION	2006	2006	500											500	RPL		16

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
		2006 PROJECTS – Continued																	
139.9	PWD–P	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMEN	2006	2006	50											50	CL		
152.0	PWD–P	TENNIS COURT RE–DEVELOPMENT	2006	2006	247											247	CL		
153.0	PWD–P	LANDSCAPING – HARBOURFRONT CSO TANK	2006	2006	278											278	CL		5
186.9	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2006	2006	300											300	RCP–H		
192.0	HECFI	COPPS COLISEUM – ROOFING SYSTEM REPLACEMENT	2006	2006	600											600	RCP–H		
	Sub–total	*2006 PROJECTS*	*(NET CITY COSTS –*	*19,454)*	20,476	1,022	0	0	0	0	0	0	0	0	0	19,454		833	24
	1997–2006	*CAPITAL BUDGET PROGRAM*	*(NET CITY COSTS –*	*254,588)*	272,609	18,021	24,397	19,501	19,616	22,682	26,402	26,048	27,863	23,598	36,127	28,354		18,294	2,217
		PARKING AUTHORITY																	
200.1	PA	CARPARK DEVELOPMENT / UPGRADES	1997	1997	100		100										ROSP		
200.2	PA	UPGRADING – EXISTING FACILITIES	1998	2006	900			100	100	100	100	100	100	100	100	100	ROSP		
201.1	PA	STUDY & DESIGN – EXISTING AND FUTURE PARKING PROJECTS	1997	1997	50		50										ROSP		
201.2	PA	STUDY & DESIGN – EXISTING AND FUTURE PARKING PROJECTS	1997	2005	450			50	50	50	50	50	50	50	50	50	ROSP		
	Sub–total	*PARKING AUTHORITY*	*(NET CITY COSTS –*	*1,500)*	1,500	0	150	150	150	150	150	150	150	150	150	150		0	0
	TOTAL	***CAPITAL BUDGET PROGRAM***	*(Net Cost*	*256,088)*	274,109	18,021	24,547	19,651	19,766	22,832	26,552	26,198	28,013	23,748	36,277	28,504		18,294	2,217

NOTE: *THE IMPLEMENTATION OF PARKING AUTHORITY PROJECTS FINANCED FROM THEIR RESERVE FUND ARE SUBJECT TO THE AVAILABILITY OF FUND.*

DEPARTMENT ABBREVIATION:

BLDG BUILDING DEPARTMENT
C&R CULTURE AND RECREATION
HD HOUSING DIVISION (BUILDG. DEPT.)
CMT CORPORATE MANAGEMENT TEAM
HPL HAMILTON PUBLIC LIBRARY
PLAN PLANNING & DEVELOPMENT
PWD–C PUBLIC WORKS–COMMUNITY RENEWAL (PARKS)
HECFI HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.
PWD–S PUBLIC WORKS – STREETS DIVISION
PWD–T PUBLIC WORKS – TRAFFIC DIVISION
PWD–P PUBLIC WORKS – PARKS DIVISION
TR TREASURY
PWD–PUBLIC WORKS – FLEET SERVICES
PROP PROPERTY DEPARTMENT
ROAD REGIONAL ROADS DEPARTMENT

1997 March 18

236

The Corporation of the City of Hamilton

1997–2006 Provisional Capital Budget Program

Schedule "A"

Projects By Year

(Thousands of Dollars)

For Consideration of the Committee of the Whole

PROJ NO. (1)	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT START (4)	PROJECT FINISH (5)	GROSS COST (6)	RECEIPTS SUBSIDY (7)	NET FINANCING (City's Cost) 1997 (8)	1998 (9)	1999 (10)	2000 (11)	2001 (12)	2002 (13)	2003 (14)	2004 (15)	2005 (16)	2006 (17)	NATURE OF FUNDING (18)	Annual DEBT Charges (19)	Annual Operating COST (20)
22002	CL	CAPITAL LEVY (1996 – 2 Mills, 1997 – 2 Mills, 1998 – 2 Mills, 1999 – 3 Mills																	
		2000 – 4 Mills, 2001 – 5 Mills, 2002 & On – 6 Mills)	1997	2006		47,439	2,007	2,017	3,041	4,075	5,119	6,174	6,205	6,236	6,267	6,298			
CH203	RCP	RESERVE FOR CAPITAL PROJECTS – GENERAL	1997	2006		10,780	5,858	604	118	300	200	800	800	900	600	600			
CH212	RDC	RESERVE FOR DEVELOPMENT CHARGES	1997	2006		8,912	160	412	400	700	700	700	700	700	4,040	400			
CH107	RSTUL	RESERVE FOR CITY'S SHARE – UNSUBDIVIDED LAND	1997	2006		8,262	800	840	882	626	672	721	772	826	882	1,241			
CH201	RPL	RESERVE FOR PARKS LAND – 5% LAND DEDICATION	1997	2006		10,740	2,240	1,300	900	900	900	900	900	900	900	900			
CH202	ROSP	RESERVE FOR OFF-STREET PARKING	1997	2006		1,500	150	150	150	150	150	150	150	150	150	150			
CH204	RCP-L	RESERVE FOR CAPITAL PROJECTS & OTHER RESERVE – LIBRARY	1997	1997		266	266												
CH101	RRME	RESERVE FOR REPLACEMENT OF MOBILE EQUIPMENT	1997	2006		34,709	2,625	4,400	2,766	3,044	3,248	4,097	3,868	3,536	3,860	3,265			
CH206	RCP-H	RESERVE FOR CAPITAL PROJECTS – HECFI	1997	2006		5,145	265	905	540	610	230	590	505	300	300	900			
Sub-total		*FINANCING FROM CAPITAL LEVY AND RESERVES*				127,753	14,371	10,628	8,797	10,405	11,219	14,132	13,900	13,548	16,999	13,754		0	
TOTAL		*COST TO BE FINANCED BY THE ISSUANCE OF DEBENTURE – Municipal*	*(NET COST –* | *128,335)*	1996	2005	274,109	145,774	10,176	9,023	10,969	12,427	15,333	12,066	14,113	10,200	19,278	14,750		18,294	2,217
202.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS–RESIDENTIAL	1997	1997	585		585												
203.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS–RESIDENTIAL	1998	2001	2,505			600	615	634	656								
204.0	PWD	OWNERS SHARE OF LOCAL IMPROVEMENTS – RESIDENTIAL	2002	2006	3,578							675	694	715	736	758			
Sub-total Owners' share of Locals			*(NET OWNERS' COST –*	*6,668)*		6,668	0	585	600	615	634	656	675	694	715	736	758		
TOTAL NET CAPITAL BUDGET PROGRAM						280,777	145,774	10,761	9,623	11,584	13,061	15,989	12,741	14,807	10,915	20,014	15,508	18,294	2,217

NOTE: THE IMPLEMENTATION OF ANY PROJECT (1997 AND AFTER) FINANCED FROM RESERVES & RESERVE FUNDS IS SUBJECT TO THE AVAILABILITY OF RESERVES & RESERVE FUNDS

ASSUMPTIONS: DEBENTURE INTEREST RATE – AMORTIZED OVER 10 YEARS AT 7.00% – ANNUAL PRINCIPAL AND INTEREST PAYMENT PER $1,000 – $142.3775027

NOTE: GROWTH RELATED PROJECT – TIMING DEPENDS ON THE AVAILABILITY OF FUNDING FROM THE RESERVE FOR DEVELOPMENT CHARGES. BUDGET AS PROPOSED REFLECTS PROJECTED DEVELOPMENT CHARGE FUNDING AVAILABILITY BASED UPON THE PRESENT DEVELOPMENT CHARGES BY-LAW.

1997 March 18

237

Appendix "B" as referred to in Section 1 of the FOURTH Report of the Committee of the Whole for 1997.

The Corporation of the City of Hamilton

Schedule No. "C"

1997–2006 Capital Budget Program

(Current Status)

PROJECTED DEBT, YEARLY INCREASE OF DEBT CHARGES AND DEBT CHARGES AS A % OF ADJUSTED LEVY AND GROSS CURRENT BUDGET

FINANCIAL IMPACT – For Consideration of the Committee of the Whole

(Thousands of Dollars)

Line No.	Description	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total
1	DEBT TO BE ISSUED FOR PRIOR APPROVAL		15,000	2,536	1,897									19,433
2	PROJECTED NEW DEBT TO BE ISSUED		10,176	9,023	10,969	12,427	15,333	12,066	14,113	10,200	19,278	14,750		128,335
3	**Total Projected Debt to be Issued**	0	25,176	11,559	12,866	12,427	15,333	12,066	14,113	10,200	19,278	14,750	0	147,768
4	DEBT CHARGES, for projects approved in prior years		525	0	0	0	0	0	0	0	0	0		2008
5	DEBT CHARGES, if new debt approved in – 1997			2,136	3,585	3,585	3,585	3,585	3,585	3,585	3,585	3,585	3,585	1,449
6	DEBT CHARGES, if new debt approved in – 1998				361	1,646	1,646	1,646	1,646	1,646	1,646	1,646	1,646	1,646
7	DEBT CHARGES, if new debt approved in – 1999					270	1,832	1,832	1,832	1,832	1,832	1,832	1,832	1,832
8	DEBT CHARGES, if new debt approved in – 2000						0	1,769	1,769	1,769	1,769	1,769	1,769	1,769
9	DEBT CHARGES, if new debt approved in – 2001							0	2,183	2,183	2,183	2,183	2,183	2,183
10	DEBT CHARGES, if new debt approved in – 2002								0	1,718	1,718	1,718	1,718	1,718
11	DEBT CHARGES, if new debt approved in – 2003									0	2,009	2,009	2,009	2,009
12	DEBT CHARGES, if new debt approved in – 2004										0	1,452	1,452	1,452
13	DEBT CHARGES, if new debt approved in – 2005											0	2,745	2,745
14	DEBT CHARGES, if new debt approved in – 2006												0	2,100
15	Proposed Debt Charges		525	2,136	3,946	5,501	7,063	8,832	11,015	12,733	14,742	16,194	18,939	18,903
16	PRESENT DEBT CHARGES	15,059	14,120	12,509	11,204	9,878	9,190	7,715	4,690	4,271	2,620	2,620	0	0
17	Total Debt Charges paid out of Mill Rate	15,059	14,645	14,645	15,150	15,379	16,253	16,547	15,705	17,004	17,362	18,814	18,939	18,903
18	Transfer to/(from) reserve for Debt Charges		414	414	210	290	(275)	(250)	910	(50)	(75)	(1,175)	(513)	100
19	**TOTAL DEBT CHARGES TO BE BUDGETED**	15,059	15,059	15,059	15,360	15,669	15,978	16,297	16,615	16,954	17,287	17,639	18,426	19,003
20	***NOTE – DELAYED FINANCING: DEBENTURE FINANCING WILL BE DELAYED ONE YEAR FOLLOWING COUNCIL APPROVAL***													
21	DEBT CHARGES – Increase over Prior Year – Amount		0	0	301	309	309	319	318	339	333	352	787	577
22	**Debt Charges – Increase over Prior Year – As a %**	0.0%	0.0%	0.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	4.5%	3.1%
23	Debt Charges – Average compound rate of increase 1997–2006											1.594%		
24														
25	**DEBT CHARGES AS A % OF ADJUSTED LEVY**	11.58%	11.58%	11.58%	11.70%	11.81%	11.93%	12.04%	12.16%	12.28%	12.40%	12.53%	12.96%	13.23%
26	Debt Charges to Levy – Average Increase 1997–2006											12.00%		
27														
28	**Debt Charges as a % of Gross Budget**	9.16%	9.16%	9.16%	9.25%	9.35%	9.44%	9.53%	9.62%	9.72%	9.81%	9.91%	10.25%	10.47%
29	**ASSUMPTIONS:**													
30	– Capital Levy Provision in the Current Budget	2,015	2,007	2,017	3,041	4,075	5,119	6,174	6,205	6,236	6,267	6,298	6,330	6,361
31	– Adjusted Levy (Inc. 1997 to 98–0%, Other–1% Annually)	130,038	130,038	130,038	131,338	132,651	133,978	135,318	136,671	138,038	139,418	140,812	142,220	143,642
32	– Current Budget (Inc. 1997 to 98–0%, Other–1% Annually)	164,331	164,331	164,331	165,974	167,634	169,310	171,003	172,713	174,440	176,184	177,946	179,725	181,522
33														
34	– Interest Rate – Amortized over 10 Years @ 7.00% per annum – Annual Debt Charges Payment per $ 1,000 is $						142.378							
35	– The previous Capital Levy Policy of SIX MILLS has now been provided as 2 MILLS for 1997 and 1998 (Same as 1997), 3 Mills for 1999, 4 Mills for 2000, 5 Mills for 2001, 6 Mills for 2002 & on.													
36	– Assessment growth (Dec. @ 0.4% for 1997 & Inc. 0.5% 1998 & on)	1,007,629	1,003,637	1,008,655	1,013,698	1,018,766	1,023,860	1,028,979	1,034,124	1,039,295	1,044,491	1,049,713	1,054,962	1,060,237

1997 March 18

CORRESPONDENCE

Correspondence:

1. Letter dated 1997 March 17 from the Ontario Public Service Employees Union, Leah Casselman regarding provincial downloading.

   Recommendation: Be Received.

2. Letter dated 1997 March 11 from Frank Mulas for a change in zoning from "AA" (Agricultural) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District for property located west of Omni Boulevard south of Upper Horning Road and north of Stone Church Road West, Hamilton, Ontario.

   Recommendation: Be Received.

3. Letter dated 1997 March 19 from Whatmough Management Inc. for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for 412 Aberdeen Avenue, Hamilton, Ontario.

   Recommendation: Be Received.

OPSEU
ONTARIO
PUBLIC
SERVICE
EMPLOYEES
UNION

SYNDICAT DES
EMPLOYÉ-E-S DE
LA FONCTION
PUBLIQUE DE
L'ONTARIO
SEFPO

1.

To: Ontario municipal councillors

From: Leah Casselman
President, Ontario Public Service Employees Union

Date: March 17, 1997

Dear councillors:

I think it's safe to say that 1997 is a very interesting time to be a grassroots politician in Ontario.

The province's plan to download billions of dollars in public services means municipal councillors now face the biggest change ever to their responsibilities. What you do now will shape your community's future for decades to come.

If you've seen any government TV ads lately, you might get the impression that the changes announced in January will improve the way public services are funded and delivered.

I wish that were true. But "disentanglement" is not about improving services. It's about two things: money and blame. The government takes the money. Municipalities take the blame.

In January, the government went out of its way to create the impression that the whole exercise would be "revenue-neutral." It didn't take long before municipal councils started to do the math.

It doesn't add up. Downloading means communities pay more.

How much more you will pay is open for discussion, but it looks like the net loss to municipalities is in the neighbourhood of $1 billion. This number is based on the cancellation of the Municipal Support Grant as well as other costs the government forgot to mention for water works, highways, housing, and so on. But there's more. With an aging population, the downloading of long-term care means those costs will continue to rise. On top of that, the ongoing work of the Health Services Restructuring Commission points to more long-term care moving out of hospitals and into the community.

Meanwhile, as psychiatric hospitals close, costs for homes for special care can only go up.

Plus there's the very big issue of social assistance. No one has ever recommended the downloading of social assistance, so it's not surprising that, on March 4, Municipal Affairs and Housing Minister Al Leach suggested that maybe it wasn't such a good idea after all.

Al is on the right track — finally. It's just too bad the government is thinking through the consequences of downloading after the announcements, not before.

There is hope that the government will come to its senses. But to make that happen, you've got to act.

Going along with downloading means you, as municipal councillors, will have to decide what combination of tax hikes, service cuts, and higher user fees

100 LESMILL ROAD
NORTH YORK, ONTARIO
M3B 3P8
TEL: (416) 443-8888
FAX 443-9670

.../2

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council

The Parks and Recreation Committee presents its **THIRD** Report for 1997 and respectfully recommends:

1. (a) That approval be given to the Director of the Culture and Recreation Department to deaccession the framed works and three dimensional objects from Dundurn Castle's collection listed on Appendix "A" attached hereto; and,

   (b) That the items listed on Appendix "A" attached hereto, be disposed of according to Museum Policy and City of Hamilton Purchasing Policy.

2. (a) That approval be given to the Director of the Culture and Recreation Department to deaccession the two dimensional objects from the Hamilton Military Museum's collection listed on Appendix "B" attached hereto; and,

   (b) That the items listed on Appendix "B" attached hereto, be transferred to the Canadian Military History Museum in Brantford as an unconditional donation.

3. (a) That approval be given to the Director of the Culture and Recreation Department to assist the Golden Horseshoe Live Steamers volunteers at the Hamilton Museum of Steam and Technology to secure a license and permit for the model railway under the Ontario Amusement Devices Act; and,

   (b) That the application fees and inspections amounting to $650 be charged to the Hamilton Museum of Steam and Technology's Account No. CH55303 71405.

4. That permission be granted as required by Parks By-law No. 95-126, Section 29(a), to Cruzaders Classic Car Club of Hamilton to use Pier 4 Park to park cars for their "50's Flashback Cruise Nights" that are being held on 1997 May 30, June 13, July 25, August 8 and September 5, subject to the following terms and conditions:

(a) That insurance, in the amount of $3 million, Comprehensive General Liability, Garage Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,

(b) That the applicant assume responsibility for all labour-related costs as a result of this event i.e. clean-up; and,

(c) A Site Plan of Park to be submitted one month prior to event; and,

(d) That Special Duty Officers, as deemed necessary by the Hamilton Wentworth Regional Police, be provided at the applicant's expense; and,

(e) That Public Works - Street Vendors remain open during the event; and,

(f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

5. (a) That approval as required by Parks By-law No. 95-126, Section 11 - to sell alcoholic beverages, Section 29 - park vehicles in a park, Section 35 - to bring horses in a park and Section 37 - to bring animals into a park, be given to the following organizations:

(i) Hamilton Filipino Community Centre - Festival - Bayfront Park 1997 June 13, 14 and 15, 12:00 o'clock noon to 11:00 o'clock p.m.; and,

(ii) Hamilton Folk Arts Heritage Council, It's Your Festival - Gage Park 1997 June 28 to July 1, 12:00 o'clock noon - 11:00 o'clock p.m; and,

(iii) St. Demetrios Church, Hellenic Community Festival - Victoria Park 1997 July 29 to August 4, 12:00 o'clock noon to 11:00 o'clock p.m.; and,

(iv) Festitalia Corporation and Carmens Catering Ltd., Family Style Picnic Bayfront Park, 1997 August 2 to August 4; and,

(b) That approval as required by Parks By-law No. 95-126, Section 11, be given to the following organizations to allow the sale of alcohol in a park:

(i) Portuguese Association of St. Michael, Festival - Dundurn Park Pavilion 1997 May 23, May 24 and May 25, 12:00 o'clock noon to 10:00 o'clock p.m.; and,

(ii) Art Gallery of Hamilton, Fundraising Event, Commonwealth Square, 1997 June 12; and,

(iii) World Conference on Disaster Management - Commonwealth Square 1997 June 23, 7:00 o'clock p.m. to 11:00 o'clock p.m.; and,

(iv) Hamilton & District Labour Council, Parade/Picnic Dundurn Park Pavilion 1997 September 1, 8:00 o'clock a.m. to 11:00 o'clock p.m.; and,

(c) That approval as required by Parks By-law No. 95-126, Section 29 - park vehicles in a park, Section 35 - to bring horses in a park and Section 37 - to bring animals into a park, be given to Hamilton Wentworth Creative Arts Inc. on the occasion of Earthsong Festival in Kay Drage Park, 1997 June 27 to July 31 and the Festival of Friends in Gage Park, 1997 August 8 to August 10 from 12:00 o'clock noon to 11:00 o'clock p.m.; and,

(d) That the approvals given in Sub-Sections (a), (b) and (c) be subject to the following terms and conditions:

(i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,

(ii) That insurance, in the amount of $3 million dollars Comprehensive General Liability Insurance for Property Damage, Bodily Injury and Garage Liability and $5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,

(iii) That all requirements as identified by the Liquor License Board of Ontario are met; and,

(iv) That the Liquor License Board of Ontario be advised that the Hamilton City Council is aware of the listed events being held and deems these events to be a community festival of municipal significance to the City of Hamilton; and,

(v) That in this regard, the City of Hamilton has no objections to the issuance of a special occasions permit for the events; and,

(vi) That alcoholic beverages be served in a confined area; and,

(vii) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,

(viii) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,

(ix) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(x) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,

(xi) That permission be granted to the event organizers to charge a parking fee of $3 - $5 per vehicle to park at the events; and.

(xii) That permission be granted to the event organizers to hold carnival/midway rides in the parks during their events; and,

(xiii) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and,

(xiv) That the Public Works and Traffic Department's Street Vendors Program at Bayfront, Gage, and Dundurn Parks be allowed to remain open throughout the events; and,

(xv) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

6. That approval as required by Parks By-law No. 95-126, Section 11, Section 29, Section 35 and Section 37 to sell alcoholic beverages, to bring animals in a park and to park vehicles in a park be given to the Regional Municipality of Hamilton-Wentworth to use Bayfront, Pier 4 Park, Eastwood and Bayview Parks to host the Greater Hamilton Aquafest, 1997 July 11 to July 20 from 8:00 o'clock a.m. to 10:00 o'clock p.m. subject to the following terms and conditions:

(a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability and severability of interest clause and thirty (30) days notice of cancellation provision:

(i) Comprehensive General Liability in the amount of $5 million per occurrence including various hazards, satisfactory to the City including Property Damage, Bodily Injury and Liquor Liability; and,

(ii) Owned and Non-Owned Watercraft Liability to a minimum of $5 million per occurrence; and,

(iii) Evidence of Owned Automobile coverage minimum of $5 million per occurrence; and,

(iv) Evidence of Tenant Legal Liability in the amount of $5 million per occurrence; and,

(v) Evidence of Garage Liability in the amount of $5 million per occurrence; and,

(b) That all requirements of the Liquor Licence of Ontario are met; and,

(c) That alcoholic beverages be served in the confined area; and,

(d) That the Region and their workers, who are providing alcoholic beverages, be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,

(e) That the Liquor License Board of Ontario be advised that Hamilton City Council is aware of the Greater Hamilton Aquafest being held this year from 1997 July 11 to July 20 at Hamilton Harbour locations and deems this event to be a community festival of municipal significance to the City of Hamilton; and,

(f) That in this regard, the City of Hamilton has no objections to the issuance of a temporary extension of a liquor license to the following licensed establishments in conjunction with the Aquafest activities:

(i) Macassa Bay Yacht Club

(ii) Leander Rowing Club

(iii) Royal Hamilton Yacht Club

(iv) Sgt. Mess. - HMCS Star; and,

(g) That the Liquor License Board of Ontario be advised that the following community organizations will be applying for a Special Occasion Permit under community festival of municipal significance:

(i) Kinsman

(ii) Hamilton Ships Company of 1812; and,

(h) That the Region of Hamilton-Wentworth enter into a License Agreement Satisfactory to the City Solicitor; and,

(i) That Special Duty Officers, as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,

(j) That the Region assume responsibility for all labour-related costs as a result of this event, including setup and cleanup; and,

(k) That the Aquafest organizers be granted permission to charge a $5 admission fee to the stage area of the park on specific dates and a $5 parking fee according to the Special Events Guidelines; and,

(l) That the Public Works and Traffic Department's Street Vendors' Program at Bayfront and Pier 4 Parks be allowed to remain open throughout the festival; and,

(m) That the Hamilton Society for the Prevention of Cruelty to Animals (H.S.P.C.P.) be advised of this event and be invited to attend in order to monitor the event's activities; and,

(n) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

7. (a) That approval be given to the Director of the Culture and Recreation Department to amend the Special Events Guidelines by adding the following section and sub-sections:

"Standard Terms and Conditions"

(i) That proof of insurance be provided and submitted thirty (30) days prior to the event, indicating the City and Region of Hamilton-Wentworth as the additional insured, subject to a cross liability clause; and,

(ii) That insurance, in the amount of $2 million or $3 million dollars Comprehensive General Liability Insurance for Property Damage, Bodily Injury and Garage Liability and $5 million dollars Liquor Liability Insurance with thirty (30) days notice of cancellation be provided; and,

(iii) That all requirements as identified by the Liquor License Board of Ontario are met; and,

(iv) That the Liquor License Board of Ontario be advised that the Hamilton City Council is aware of the listed events being held and deems these events to be a community festival of municipal significance to the City of Hamilton; and,

(v) That in this regard, the City of Hamilton has no objections to the issuance of a special occasions permit for the events; and,

(vi) That alcoholic beverages be served in a confined area; and,

(vii) That organizers and their workers who are providing alcoholic beverages be encouraged to participate, on a voluntary basis, in a "Server Intervention Training Program"; and,

(viii) That the event organizers enter into a License Agreement satisfactory to the City Solicitor; and,

(ix) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(x) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,

(xi) That permission be granted to the event organizers to hold carnival/midway rides in the parks during their events; and,

(xii) That all event organizers use a qualified, licensed supervisor to light the fireworks display; and,

(xiii) That all event organizers adhere to Fireworks By-law No. 90-198; and,

(xiv) That a site map, specific to each event, be submitted sixty (60) days prior to the event; and.

(xv) That the Public Works and Traffic Department's Street Vendors Program at Bayfront, Gage, and Dundurn Parks be allowed to remain open throughout the events; and,

(b) That applications for a Special Event will be subject to the Terms and Conditions of the Special Events Guidelines, as amended.

8. That approval be given to the action taken by Mayor Robert Morrow to sign a Cost-Sharing Agreement, satisfactory to the City Solicitor, between the Government of Canada and the City of Hamilton for the protection of conservation and the presentation of the Hamilton Waterworks (Hamilton Museum of Steam and Technology).

9. That approval be granted to the Director of the Culture and Recreation Department to enter into a contract in a form acceptable to the City Solicitor, with Restauronics Services Ltd. as the most competitive response to a Request for Proposal as issued through the Purchasing Division on 1997 January 28, and closed 1997 February 21, for the Supply, Operation and Maintenance of Vending Machines in various Culture and Recreation Facilities, to begin on 1997 May 1, for a term of two years and set to complete as of 1999 April 30, with an option for a third year upon mutual agreement, at an annual guaranteed revenue of not less than $20,000.

10. That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of Parks By-law No. 95-126, be given to the organizations as follows:

(a) Kirkendall Recreation Association, Highland Gardens Parks, 1997 May 19, Rain Date: 1997 May 20; and,

(b) Communita Raculmutese Maria SS Del Monte, Eastwood Park, 1997 June 22

to hold a Fireworks Display on City property on dates specified, subject to the following terms and conditions:

(i) That the organizations use a qualified Fireworks Supervisor to light the fireworks display; and,

(ii) That proof of $5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

(iii) That the organizations comply with all sections of By-law No. 90-198; and,

(iv) That the organizations agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.

11. (a) That a legal agreement satisfactory to the City Solicitor be entered into between the City of Hamilton and the Federal Development of Fisheries and Oceans such that the City will provide landscape design services for the lands adjacent to the Hamilton Harbour Waterfront Trail; and,

(b) That the Treasury Department establish an account to which the Federal Development of Fisheries and Oceans funds will be deposited; and,

(c) That the Mayor and the City Clerk execute the contract on behalf of the City.

12. (a) That approval be given to the Commissioner of Public Works and Traffic to enter into a contract with W. H. Reynolds (Cambridge) Ltd. in the amount of $106,740 plus $16,000 contingency plus $7,472 G.S.T. for the supply and installation of new bleachers and the supply and installation of new aluminum planking on existing bleachers being the lowest acceptable of three tenders received in accordance with specifications C16-1-97 issued by the Purchasing Division and vendors tender; and,

(b) That the amount of $130,212 for the supply and installation of bleachers be funded from Account No. CF5200 629154022 - Mohawk Sports - Floodlighting, Bleachers.

13. (a) That the City of Hamilton enter into a joint use agreement with the Hamilton Board of Education for a 1.0 ha (more or less) of land located at Prince Philip School adjacent to Alexander Park for the sum of $1 per annum to construct and maintain a T-ball diamond; and,

(b) That the agreement with the Hamilton Board of Education shall be in a form satisfactory to the City Solicitor; and,

(c) That the Mayor and City Clerk be authorized to sign the lease agreement; and,

(d) That the City of Hamilton enter into a lease agreement with Ontario Hydro for two (2) parcels of land totalling 1.65 ha (more or less) located within the hydro corridor between Emerson Street and Lower Horning Road for a minimal sum per annum to construct a parking area and recreational trail.

14. (a) That a purchase order be issued to Wesco Distributors Inc., Hamilton, in the amount of $70,000 for the supply and delivery of light fixtures, as and when required during 1997 for various parks and streets being the lowest of four tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH5197 60999; and,

(b) That a purchase order be issued to Hesco Electric Supply, Hamilton, in the amount of $70,000 for the supply and delivery of light fixtures, as and when required during 1997 for various parks and streets, being the lowest of four tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH56197 60999; and,

(c) That a purchase order be issued to Powco Steel Products Ltd., Barrie, Ontario in the amount of $70,000 for the supply and delivery of light poles as and when required during 1997 for various parks and streets, being the lowest of five tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH56197 60999; and,

(d) That a purchase order be issued to Toronto Fabricating and Manufacturing Co., Mississauga, Ontario in the amount of $70,000 for the supply and delivery of light poles, as and when required during 1997 for various parks and streets, being the lowest of two tenders received in accordance with specifications C16-4-97 issued by the Purchasing Division and Vendor's tender, and be financed from Stock Account No. CH56197 60999.

15. (a) That approval be granted to a change in scope for Capital Project CF 709341017, Future West Mountain Bocce Facility to provide for the construction of a four lane outdoor lit bocce court facility on the grounds of the Chedoke Twin Pad Arena with a budget upset limit of $108,267; and,

(b) That the project remain within the responsibility of the Department of Culture and Recreation and that the construction project be managed and undertaken by the Department of Public Works and Traffic; and,

(c) That the Director of Culture and Recreation and City Solicitor be authorized to negotiate a primary use agreement with the MacNab Bocce Club for use of the North Meeting Room of the Chedoke Twin Pad Arena.

16. (a) That approval be given to enter into a contract with STF Construction Limited, Hamilton in the amount of $127,197 plus $8,903.79 G.S.T. for the construction of sun shelters and concrete buildings in Central, Berrisfield and Broughton East Parks subject to approval of the 1997 Capital Budget; and,

(b) That the amount of $136,100.79 for construction of the sun shelters be funded from the 1996 and 1997 Park Development and Redevelopment Programmes; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the construction contract in a form satisfactory to the City Solicitor.

17. (a) That the construction of a Meeting Room and Washrooms in the Gourley Park Agreement attached as Appendix "C", be approved and the Mayor and City Clerk be authorized and directed to execute the Agreement; and,

(b) That the License to Occupy the Premises Located in Gourley Park and Washroom Construction Agreement attached as Appendix "D", be approved and the Mayor and City Clerk be authorized and directed to execute the Agreement; and,

(c) That approval be given to the Commissioner of Public Works and Traffic to enter into a contract with STF Construction Limited, Hamilton in the amount of $107,069 plus $10,000 contingency, plus $8,194.83 G.S.T. (total $125,263.83) for the construction of the sun shelter/community building at Gourley Park being the lowest of six (6) tenders received in accordance with specification C16-3-97 issued by the Purchasing Division and vendors tender subject to approval of the 1997 Capital Budget; and,

(d) That the amount of $125,263.83 for construction of the sun shelter/community building be funded from the 1996 and 1997 Park Development and Redevelopment Programme Capital Fund Accounts; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the construction contract in a form satisfactory to the City Solicitor.

Respectfully Submitted,

ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson, Secretary

1997 March 18

Appendix "A" as referred to in Section 1 of the Third Report of the Parks and Recreation Committee for 1997

ARTIFACTS TO DEACCESSION FROM DUNDURN CASTLE COLLECTION

OC.324.51a,b	pink satin shoes
OC.52a,b	purple satin shoes
OC.335.47a,b	white satin shoes
OC.361.102b	child's brown leather shoe
OC.361.104	child's brown leather shoe
979.8.25	silver trophy/chalice
1994.51.1	metal handle
1994.51.3	silver dish
1992.14.1	silver condiment container
1994.51.2	silver dish
1993.18.1	silver dish
979.OC.370.62	fan
1971.20.44	beaded drawstring bag
OC.330.3	beaded pillow
OC.330.2	beaded pillow (heart shaped)
1992.7.1a	wooden box for children's blocks
1992.7.1b to z	children's blocks
1992.7.1aa to aq	children's blocks
1979.20.11.1 to 5	school certificates (20th c)
1979.20.10	British Empire Games Certificate
1967.11.4	pewter teapot
1983.60.2	sugar bowl
1983.60.1	creamer
1983.60.3	trivet
OC.833.1	coronation cup
OC.733.1	coronation cup
1976.11.43	man's hat

1971.1?.3	hat with red feathers
1971.1985.2	blue had (conductor's style)
1970.101.1,2	metal garden vases
1978.22.1	bound Albion Gazettes
OC.366.134	marriage license
1994.8.1	ceremonial ribbon
1992.11.1	"
1992.12.1	cross flag badges
1994.6.1	ceremonial ribbon
1994.7.1	"
1994.9.1	"
1970.158.1	"
1969.333.1	wood/iron piece (unidentified)
99L.477.2	frame/glass
994.1001.1	frame
1988.5.34	silver teaspoon
1988.5.40	"
1988.5.36	silver fork
1969.161	teapot
1967.119.7.1	teacup (chinese motif)
1967.119.8.1	"
1967.119.9.1	"
1967.119.10.1	"
1967.119.11.1	"
1967.119.7.2	saucer (chinese motif)
1967.119.8.2	"
1967.119.9.2	"
1967.119.10.2	"
1967.119.11.2	"
1967.119.12	serving dish
1967.119.1,2,3,4	salad plates
1971.22.1.9.1,2	greeting cards
366.6	photo (ui)
366.8	photo (ui)
366.110d	choir photo
366.8	coronation flyer
366.73	Japan Herald - 1896
366.12	booklet

366.3	booklet
975.16.91	paper francs (5 pieces)
979.11	paper money
979.15.1	booklet
366.13	booklet
366.15	jubilee card
366.17,18	greeting cards
1994.34.1 to 8	chinese scriptures
366.131	map
1982.32.2	broken crock pot
1972.573	badly repaired vase
1968.20.16	broken plate
1970.163.1	fork
366.110a,b,c	two volumes and case
1972.220	wooden screwing item (?)
1983.50.16	cork
979.OC371.3	certificate
1982.22.71a	medals -1897
1969.327	belt loop
979.OC.270.8,9	photos - 1911
1993.2.1	booklet
1993.6.1	newspaper article
1994.48.1	1920's photo
366.26	book
366.28	autograph book
1979.20.13,14,15	books
1971.21.139a	photo - bride
1971.20.42.1	belt - needlepoint
1971.20.42.2	"
1966.96.16	pottery bowl
OC329.53	fan
OC601.?	wooden darning egg ?
1969.25.3b	wooden fragment
1973.249	book cover
366.9	railroad memo
366.10	marriage certificate
1944.4.1	photo (ui)
1944.5.2,4	postcards
1994.5.1,3,5,6,7,8	photo cards
1994.5.7	negative
OC270.10	photo

1971.22.1.28	photocards
1971.22.1.5.2	"
1971.22.1.11	"
1971.22.1.54	"
1971.22.2.15.2,3,4,5	"
1971.22.1.6.1	"
1971.22.1.8.2	"
OC1073.2,3,4,11	"
1971.22.1.1	"
OC1073.6,9	"
979.8.19	trophy
1980.36	wood and metal implement
1972.149	metal cookie cutter (?)
1466.5.3	saw
1984.98.2	knife
1972.156	funnel
1966.?.4	clippers
1972.14?	cookie cutter (?)
1967.254.?	carving fork
1966.117.8	coring tool (?)
1993.15.1a-c	insulated silver serving dish
OC336.20a-f	wind instrument and case
OC366.23	book
58.2.7	2 frames
OC366.19	ribbon
1971.219.6	lithograph
1980.3.11	purse
1982.19.8b	eyeglass case
1971.303	framed tinted engraving
OC366.74	photo
OC269.14	photo
1994.46.1	framed photo
1994.35.1	ribbon
OC366.126	"
OC366.128	embroidered card
OC366.79	photo
1994.37.1	1901 invoice
1994.36.1	unrecognizable
OC366.133	marriage certificate
OC366.16	paper Union Jack
OC688.1	sharks teeth
1975.16.89	tickets
979.OC370.45	button and ribbon

OC361.109	coin
OC361.108	badge
975.16.88	tickets
OC960.1	medallion
1979.22	medallion
1975.16.90	1907 Expo tickets
1975.16.90	street railway tickets
OC366.14	photo
1992.8.2a,3a,4a, 5a,6a,7a,8a,9a,10a	calling cards
978.21.13.1,2,4,5,6	stereoscope images
975.10.3,4,5, 6,7,8,9,10,11,	stereoscope images
976.4.1,2,3,4,5,6, 7,8,9,10,11,12,13,14,15	"
977.20.1,2,3,4,5,6,7,	"
978.21.1.1,2,3,4,5,6	"
978.21.2.1,2,12	"
978.21.3.2,3,4,5,	"
978.21.4.1,2,3,4,6,10	"
978.21.5.2,3,4,5,6,9,10,11	"
978.21.6.1,2,3,4,5,6,7	"
978.21.7.1,3,	"
978.21.8.1,2,3,4,10,11,13,14	"
978.21.11.2	"
978.21.12.9	
978.21.13.6,5,	"
978.21.14.1,2,3	"
OC366.80,82,83,84, 85,86,87, 88,89,90, 91,92,93,94	photocards
OC10.73.10,28, 29,30,31,32,33,60	"
OC366.5,7,14,16,97,116	photos

Appendix "B" as referred to in Section 2 of the Third Report of the Parks and Recreation Committee for 1997

Two dimensional objects to be deaccessioned from the Hamilton Military Museum collection:

77.245.1	Panoramic photograph: Quebec Tercentenary, review of the troops
O.C. 585.1	Panoramic photograph: Quebec Tercentenary, fleet Royal Salute for the Prince of Wales
O.C.337.1	Panoramic photograph: 173rd Battalion, World War 1
76.97.1	Map of Quebec, 1841

Appendix "C" as referred to in Section 17 of the THIRD Report of the Parks and Recreation Committee for 1997

THIS AGREEMENT made in quadruplicate this 26th day of March, 1997.

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(Hereinafter called the "City")

OF THE FIRST PART,

- and-

THE GOURLEY PARK COMMUNITY ASSOCIATION

(Hereinafter called the "Association")

OF THE SECOND PART.

WHEREAS the City is the owner of Gourley Park (hereinafter called the "Park"), municipally known as 000 Duncairn Crescent, located in the City of Hamilton;

AND WHEREAS the City had planned to construct a sun shelter building at the Park;

AND WHEREAS the Association has approached the City to enlarge the proposed building with the Association paying for the increased construction costs;

AND WHEREAS on March 25, 1997, City Council, in adopting Section (specify) of the (specify) Report of the Parks and Recreation Committee, authorized this Agreement;

NOW THEREFORE this Agreement witnesses that, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

1. Subject to the terms of this Agreement, the City agrees to construct a building in Gourley Park containing a meeting room and washrooms, as shown on the plan attached to this Agreement as Schedule "A".

2. The Association agrees to pay the total cost of constructing the meeting room and washrooms (hereinafter called the "Premises") to be constructed in the Park, as shown on Schedule "A" attached to this Agreement.

3. The Association acknowledges that the City will only be constructing the bare walls of the Premises and that the Association will be responsible for completing the Premises, including the wiring, plumbing fixtures and wall coverings.

4. The Association Agrees to pay to the City $15,000.00 at the date of signing of this Agreement. Thereafter, the Association shall pay to the City $5,000.00 per year, commencing on December 15, 1997, and on each and every December 15th until the total cost of the Association's part of the building is fully paid for.

5. If the Association makes all the payments as described in paragraph 4, the City will not charge interest on the Association's outstanding debt to the City.

6. When the tenders are received, the City shall inform the Association of the cost of the Association's portion of the total building construction cost.

7. The Association acknowledges that the use and occupation of the Premises is subject to a Licence Agreement to be executed by both parties.

8. If the Association fails to repay to the City the outstanding construction costs of the Premises in accordance with this Agreement, the City may, without limiting its other remedies, terminate the occupation Licence.

9. The Association acknowledges that it had the opportunity to obtain legal advice prior to signing this Agreement.

IN WITNESS WHEREOF the said parties have hereunto affixed their authorized signatures and seals.

Signed, Sealed and Delivered
in the Presence of:

**THE CORPORATION OF THE
CITY OF HAMILTON**
per:

_____
Mayor

Approved as to
form and content

Date:_____

_____
City Solicitor

_____
Date

_____
City Clerk

Date:_____

**GOURLEY PARK COMMUNITY
ASSOCIATION**
per:

_____ (seal)

Date:_____

_____ (seal)

Date:_____

\CONT\GOURLEY4.2ND

DATED THIS 26TH DAY OF MARCH, 1997

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

AND

GOURLEY PARK COMMUNITY ASSOCIATION

A G R E E M E N T

Re: Construction of Meeting Room and Washrooms in Gourley Park

---

City Solicitor
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4
File: 20-20-369/97.1
LEF:as

LICENCE

THIS AGREEMENT made in quadruplicate this (specify) day of (specify), 1997.

Appendix "D" as referred to in Section 17 of the THIRD Report of the Parks and Recreation Committee for 1997

BETWEEN:

THE CORPORATION OF THE CITY OF HAMILTON

(Hereinafter called the "City")

OF THE FIRST PART,

- and-

THE GOURLEY PARK COMMUNITY ASSOCIATION

(Hereinafter called the "Association")

OF THE SECOND PART.

WHEREAS the City is the owner of Gourley Park, municipally known as 000 Duncairn Crescent, located in the City of Hamilton;

AND WHEREAS the Association and the City have agreed to use part of the Gourley Park land for the purpose of constructing a City owned building containing a meeting room and washroom (hereinafter called the "Premises"), as shown on the diagram attached as Schedule "A";

AND WHEREAS on (specify date), City Council, in adopting Section (specify) of the (specify) Report of the Parks and Recreation Committee, authorized this Agreement;

NOW THEREFORE this Agreement witnesses that, in consideration of the mutual covenants and agreements herein, the parties agree as follows:

1. **GRANT OF LICENCE**

   Subject to the terms and conditions of this Agreement, the City hereby grants the Association a licence to occupy the Premises located in Gourley Park as shown on the diagram attached to and forming part of this Agreement as Schedule "A", for the sum of Two Dollars ($2.00) per year.

2. This Agreement shall commence on (specify) and shall terminate on (specify) unless terminated early pursuant to this Licence Agreement. The Agreement may be renewed with City Council's consent.

3. The Association may use the Premises only for the purpose of a meeting room and washroom for the Association, subject to annual review and approval of use plans by the City.

4. The building will be constructed by the City to the bare walls only. The Association shall pay the cost of finishing the Premises, including, but not limited to, dry walls, plumbing fixtures and electrical wiring.

5. The Association shall discharge all liabilities incurred by it for labour, materials or services used or reasonably required for use in the performance of this Contract on the date upon which each becomes due.

The Association shall cause each Sub-contractor engaged in the performance of this Contract to discharge all liabilities incurred by such Sub-contractor for labour, materials or services used or required for use in the performance of this Contract.

The Association shall ensure that all of the persons constructing the Premises comply with the Occupational Health and Safety Act, R.S.O. 1990, Chapter O.1.

6. The Association shall be solely responsible for the maintenance of the Premises. The Premises shall be maintained in a neat and clean condition to the satisfaction of the City.

7. The City shall have the right to inspect the Premises at all times and the Association shall give the City one set of keys to the Premises.

8. The Association may not apply for any Liquor Licence for the Premises under the Liquor Licence Act of Ontario.

9. The Association shall pay one half of the total cost of the Hydro Service to the combined building. The Association shall be invoiced by the City for the Hydro cost and shall pay the invoice within 15 days of the invoice being issued.

10. The Association shall pay one half of the heating costs for the entire building. The Association shall be invoiced by the City for this cost and shall pay the invoice within 15 days of the invoice being issued.

11. The Association agrees to pay any property and education taxes or charges levied against the City as a result of the Association's occupation of the Premises.

12. The Association may rent the Premises to other groups, but may not charge the other group more than the Association's true cost arising out of the other group's use of the Premises. The Association shall not unreasonably withhold its permission to allow the use of the Premises by another group. The City reserves the right to mediate any disputes relative to use of the Premises.

13. **PUBLIC LIABILITY - INDEMNIFICATION AND INSURANCE**

(a) The Association shall use and occupy the Premises in a careful, safe, lawful and proper manner and shall so conduct its activities in or about the Park and Premises as not to endanger any property or any person thereon; and, with the sole exception of claims arising entirely by reason of an Act of God, shall indemnify and save harmless the City against any and all claims and costs of the City of Hamilton, or of other persons, arising in any way out of the performance of this Licence Agreement or out of the Association's occupation of the Premises.

(b) The Association hereby releases the City from any and all liability to any persons (including the Association and third parties) for any loss, damage or injury to any person or property incurred in or upon any property occupied by the Association.

(c) The Association agrees to obtain and maintain a comprehensive general liability policy:

(i) naming the City as an additional named insured party;

(ii) including the following extensions of coverage:

Broad Form Property Damage
Occurrence Property Damage
Personal Injury
Blanket Contractual
Completed Operations
Owner's Protective
Employees added as additional Named Insured
Cross Liability

Non-owned Automobile, including S.E.F. 96
Employer's Liability & Contingent Employer's Liability

(iii) providing not less than TWO MILLION DOLLARS ($2,000,000.00) inclusive limits of liability;

(iv) providing that the Policy shall not be cancelled without sixty (60) days written notice to the City.

(d) The Association shall furnish to the City a certified copy of such policy of insurance throughout the continuation of this Licence Agreement.

14. **DEFAULT**

The Association shall be in default under this Agreement if:

(a) the Association does not pay to the City any payment required hereunder when due, or

(b) the Association fails to maintain the insurance coverage required under clause 13 herein, or

(c) the Association fails or neglects to comply with or perform any covenant or term of this Agreement and such failure or neglect continues for a period of 30 days after receipt by the club of written notice from the City setting out the particulars of such non-compliance.
If the Association has failed to remedy such non-compliance on the expiry of thirty days after receipt of such written notice the City may, at its option, perform or cause to be performed any such covenants or obligations and all expenses incurred by the City in so doing shall be immediately payable as part of the annual licence fee under clause 1 (one) herein, or

(d) the Association shall make an assignment for the benefit of its creditors or have a receiving order made against it or become bankrupt or insolvent or if any action shall be taken to wind up, dissolve or liquidate the Association.

15. **TERMINATION BY CITY**

(a) This Agreement may be terminated by the City by written notice to the Association in the event of default by the Association as set out in clause 14 above.

(b) This Agreement may also be terminated by the City on six month's notice to the Association if the licensed land is required for a park or other municipal use.

16. **CONSEQUENCES OF TERMINATION**

Upon termination or expiration of this Agreement:

(a) the Association shall immediately cease all of its operations at the Premises and, within a period of ten (10) days after termination, remove from the Premises all of the Association's property and equipment and shall repair any damage caused by the Association to the Premises by such removal;

(b) the Association shall, within ten (10) days following such termination, pay to the City all payments owing under this Agreement;

(c) the City shall be free to enter into an Agreement similar to this Agreement with any other party.

17. EXTENSION OF LICENCE

If the term of this licence expires without further written agreement of the parties and the Association continues to use the Premises with the permission of the City, then this Licence Agreement shall be deemed to continue in full force and effect upon the same terms and conditions until the City or the Association gives thirty (30) days written notice of termination to the other party.

18. LAW, RULES AND REGULATIONS

The Association covenants for itself, its servants, agents, and employees that it will observe, keep and perform all rules, regulations and by-laws of the City, its Police Department, its Fire Department and the Fire Marshall and with any other department of the City, Provincial or Federal Governments, or any other proper authority in that behalf including, but not limited so far as the same shall relate to conditions of sanitation, health, fire prevention, safety, crowd control or otherwise howsoever in relation to the Premises and the use and occupation thereof, and will in all respects conduct its operations therein strictly in accordance with the law. The association further covenants for itself, its servants, agents and employees to use its best efforts to ensure that its patrons will also observe, keep and perform all rules, regulations and by-laws as set out above.

19. No reference to, nor exercise of, any specific right or remedy by the City shall prejudice or preclude the City from exercising any other remedy, whether allowed at law or in equity or expressly provided for herein. No such remedy shall be exclusive or dependent upon any other such remedy, but the City may from time to time exercise any one or more of such remedies independently or in combination.

20. This Licence Agreement shall be governed by, and construed under, the laws of the Province of Ontario.

21. Time is of the essence of this Licence Agreement, and if any enlargement or extension of time shall be granted, time shall continue to be of the essence in respect of the enlargement or extension of time.

22. No provision of this Licence Agreement shall be deemed to have been waived by the City unless such waiver is in writing and signed by the City. A waiver of the City of a breach of any term or condition of this Licence Agreement shall not prevent a subsequent act, which would have originally constituted a breach, from being of the force and effect of any original breach. Receipt by the City of consideration under this Licence Agreement with knowledge of a breach by the Association of any term or condition of this Licence Agreement shall not be deemed a waiver of such breach. Failure by the City to enforce against the Association any of the Rules and Regulations under Paragraph 16 shall not be deemed a waiver of such Rules and Regulations.

23. No amendment, modification or supplement to this Licence Agreement shall be valid or binding unless set out in writing and executed by the parties hereto.

24. This Licence Agreement contains the entire agreement between the parties hereto with respect to the subject matter thereof. the Association acknowledges and agrees that it has not relied upon any statement, representation, agreement or warranty of the City except as set out in this Licence Agreement.

25. In construing this Licence Agreement, words in the singular shall include the plural, and visa versa and words importing the masculine shall include the feminine and the neuter and visa versa, and words importing persons shall include corporations and vice versa.

26. This Licence Agreement shall enure to the benefit of, and be binding upon, each of the parties hereto, and each of their respective successors and assigns.

27. NOTICES

Any notices required or permitted to be given hereunder shall be sufficiently given if delivered or mailed by prepaid registered mail as follows:

(a) If to the City:

The City Clerk
The Corporation of the City of Hamilton
City Hall, 71 Main Street West
P. O. Box 2040
Hamilton, Ontario
L8N 3T4

(b) If to the Association:

Gourley Park Community Association
(specify address)
Hamilton, Ontario
(specify postal code)
Attention: (please specify)

Any notice so given shall be deemed to have been received on the date of personal delivery or on the fourth business day after the date of mailing, as the case may be.

The Association shall give the City prompt Notice of any change in the Association's address for service.

IN WITNESS WHEREOF the said parties have hereunto affixed their authorized signatures and seals.

Signed, Sealed and Delivered
in the Presence of:

THE CORPORATION OF THE CITY OF HAMILTON
per:

_____
Mayor

Approved as to
form and content

Date:_____

_____
City Solicitor

_____
Date

_____
City Clerk

Date:_____

GOURLEY PARK COMMUNITY ASSOCIATION
per:

_____ (seal)

Date:_____

_____ (seal)

Date:_____

\CONT\GOURLEY5.LIC

DATED THIS (SPECIFY) DAY OF (SPECIFY), 1997

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

AND

GOURLEY PARK COMMUNITY ASSOCIATION

A G R E E M E N T

Re: Licence to Occupy the Premises Located in Gourley Park and Washroom

---

City Solicitor
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4
File: 20-369/97.1
LEF:as

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to Official Plan Amendment No. 137 designating four parcels of land in the Bayfront Industrial Area from "Open Water" to "Industrial" to recognize the prevailing zoning districts; and,

   (b) That the Director of Planning and Development be directed to prepare a By-law in a form satisfactory to the City Solicitor, to adopt Official Plan Amendment No. 137 for presentation to City Council.

2. That the securities related to Site Plan Control Application DA-94-32 by Halem Park Housing Co-operative Inc., lessee of lands bounded by East 27th Street, Halem Avenue and East 25th Street, as shown on the attached map marked as Appendix "A", be retained at a minimum 50% of the construction costs in accordance with Council policy.

3. (a) That City Council endorse the continuation of Niagara Escarpment Commission Development Permit Application No. W/R/96-97/87, respecting the unopened road allowance on Angela Drive, as shown on the attached map marked as Appendix "B", and that the appropriate staff (eg. Law, Property and Planning and Development Departments) be authorized to attend a Niagara Escarpment Hearing in support of this application; and,

   (b) That the Niagara Escarpment Commission, on behalf of the City of Hamilton, forward a request to the Minister to delay the signing of the regulation to remove the development control regulation for the unopened road allowance on Angela Drive until this matter is resolved.

4. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law 95-049:

   "the lands composed of part of Lot 25, Concession 1, formerly in the Township of Saltfleet, now in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, said parcel of vacant land being more particularly

described as Part 2 on Registered Plan 62R-3948, having a frontage on the south end of Lanark Street of 19.150 metres (62.830 feet) more or less, by a depth of 82.601 metres (271.00 feet) more or less and containing an area of 0.065 hectares (0.160 acres) more or less."; and,

(b) That an Offer to Purchase, duly executed by the purchaser 685810 Ontario Limited, on 1997 March 6 and scheduled to close on or before 1997 May 5, for the lands composed of part of Lot 25, Concession 1, formerly in the Township of Saltfleet, now in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, said parcel of vacant land being more particularly described as Part 2 on Registered Plan 62R-3948, having a frontage on the south end of Lanark Street of 19.150 metres (62.830 feet) more or less, by a depth of 82.601 metres (271.00 feet) more or less and containing an area of 0.065 hectares (0.160 acres) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $12,800. be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases (Sales)); and,

(c) That the required deposit cheque in the amount of $1,280. be held by the City Treasurer pending Council approval; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory Notice has been given to the public of the intended sale; and,

(ii) no appraisal of the fair market value of the real property being sold was obtained as the lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

5. That Schedule "B" of By-law No. 97-012, appointing the Barton General B.I.A.'s Board of Management be repealed and the following names substituted:

SCHEDULE "B"

K. Cody	Codys Home Decor Inc.
M. Tollis	The Riviera Banquet Centre
J. Hilger	Ways to Wisdom
K. Jokic	Bank of Montreal
D. Tranor	Dell Pharmacy
N. LaSala	Nick's Auto Service

6. (a) That the Planning and Development Department staff be authorized to hold a public meeting to consider a proposed street name change from Dulgaren Street to Dalia Avenue for that portion of Dulgaren Street located between Upper Sherman Avenue and the future extension of Eaglewood Drive, as shown on the attached map marked as Appendix "C"; and,

(b) That the City Clerk be directed to give notice of a Public Meeting regarding the proposed name change.

7. That a Heritage Permit be approved for the following exterior alterations/additions to the building at 90 Stinson Street (designated under the Ontario Heritage Act), as shown on the drawings (north, east and west elevations) dated 1997 March 3 attached hereto and marked as Appendix "D":

NORTH FACADE (as shown on the attached north elevation)

- replacement of single-pane glazing of all original wood windows with thermopane glazing (preferred option) or replacement of existing wood windows with wood-framed thermopane units, to replicate appearance of original windows; and,
- replacement of single-pane glazing in the original double wood entrance doors with thermopane glazing; and,
- one-storey addition extending along east facade and set back from front facade; north facade of addition comprises a stuccoed base with a band of three aluminum windows modelled on the two-over-two wood sash window on the north facade of the one-storey stone addition on the west side of the building; and,
- concrete ramp with steel handrail to doorway on west side of tower.

EAST FACADE (as shown on the attached east elevation)

- one-storey addition extending across full facade of existing building and the rear addition; wall treatment identical to north facade, except for set of double doors; and,

- some wood windows to be reglazed or replaced (as described for north facade); others to be replaced with aluminum thermopane sash windows; and,
- three new gabled dormers with aluminum windows (two on roof of existing rear wing and one on roof of new rear extension); and,
- rear addition (extension of existing rear wing) with a large multi-paned aluminum window on the second storey; and,
- new double entrance doors on east wall of tower to replicate existing glazed wood doors on the south and west facades (originally three identical doorways).

WEST FACADE (as shown on the attached west elevation)

- most windows to be treated in a similar manner to those on east facade; one second and one third storey window to be blocked up by means of permanently closed wood shutters; one window opening on the first floor to be filled in with stone masonry to match existing wall; and,
- two new entrances to be built on either side of the masonry-filled window opening, one with a canopy for the new elevator; and,
- replacement of single-pane glazing in the original double wood entrance doors of the tower with thermopane glazing; and,
- rear addition with two new windows, one dormer, one doorway and stuccoed exterior; and,
- reconfiguration of roofline of section of rear wing to accommodate top of elevator shaft.

8. (a) That a secured loan in the amount of twenty-five thousand dollars ($25,000) to Andrew Trencs, for improvements to 274 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

(b) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars ($12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

9. (a) That a secured loan in the amount of fifteen thousand, four hundred and twenty-four dollars ($15,424) to Peter and Gilberta Oliveira, for improvements to 355 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

(b) That a grant from the Barton Street Revitalization Fund in the amount of seven thousand, seven hundred and twelve dollars ($7,712) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

10. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

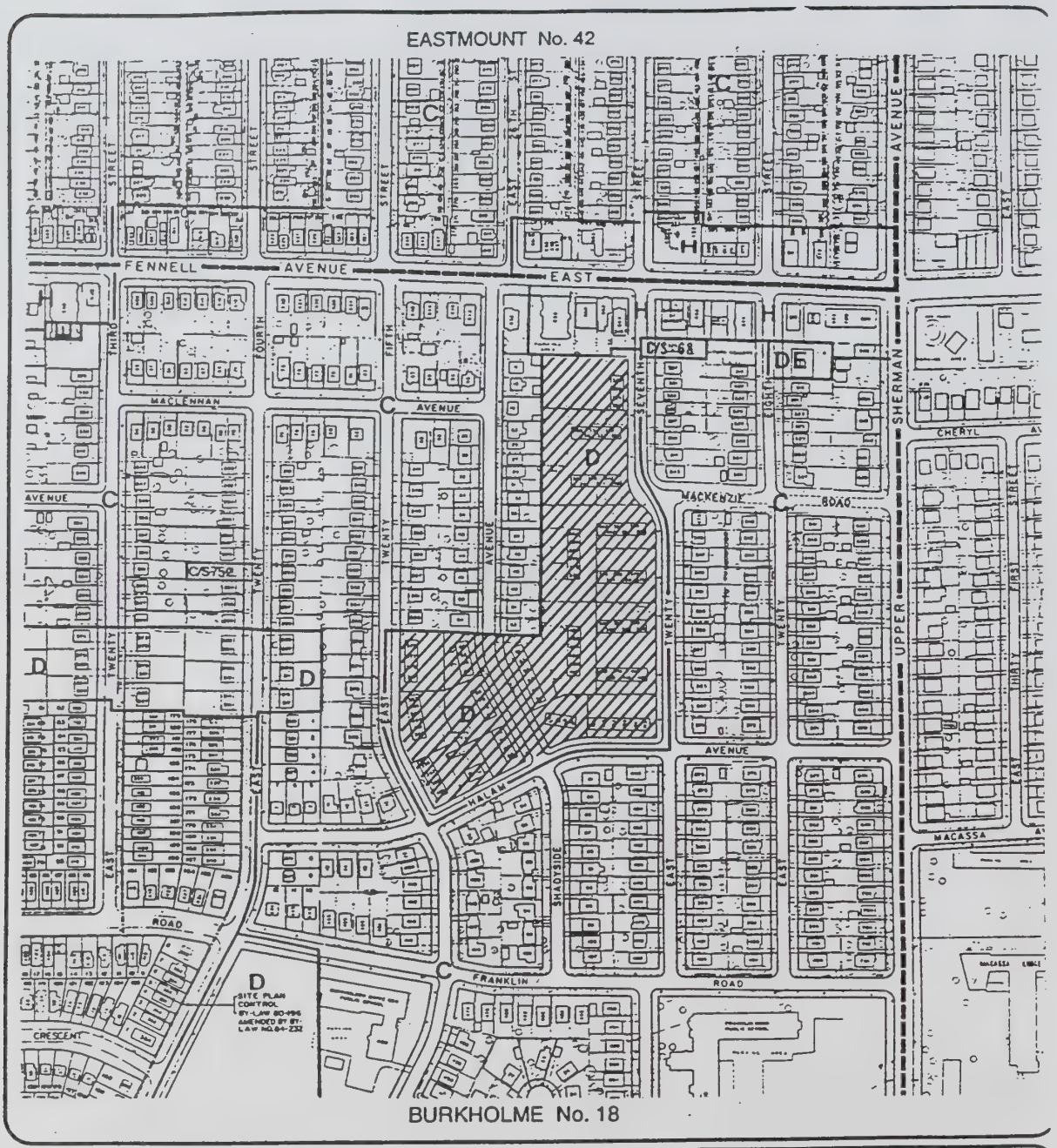
(a) C-16 A By-law to Amend Zoning By-law No. 6593 Respecting Rendering Plants.

(b) C-17 A By-law to Amend Zoning By-law No. 6593 and to Repeal Zoning By-laws No. 83-217 and 89-276 Respecting Lands Located at Municipal Nos. 10 Herkimer Street and 9 and 11 Charlton Avenue West.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1997 March 19



City of Hamilton

Plan Showing Lands Subject to

Site Plan Control Application DA-94-32

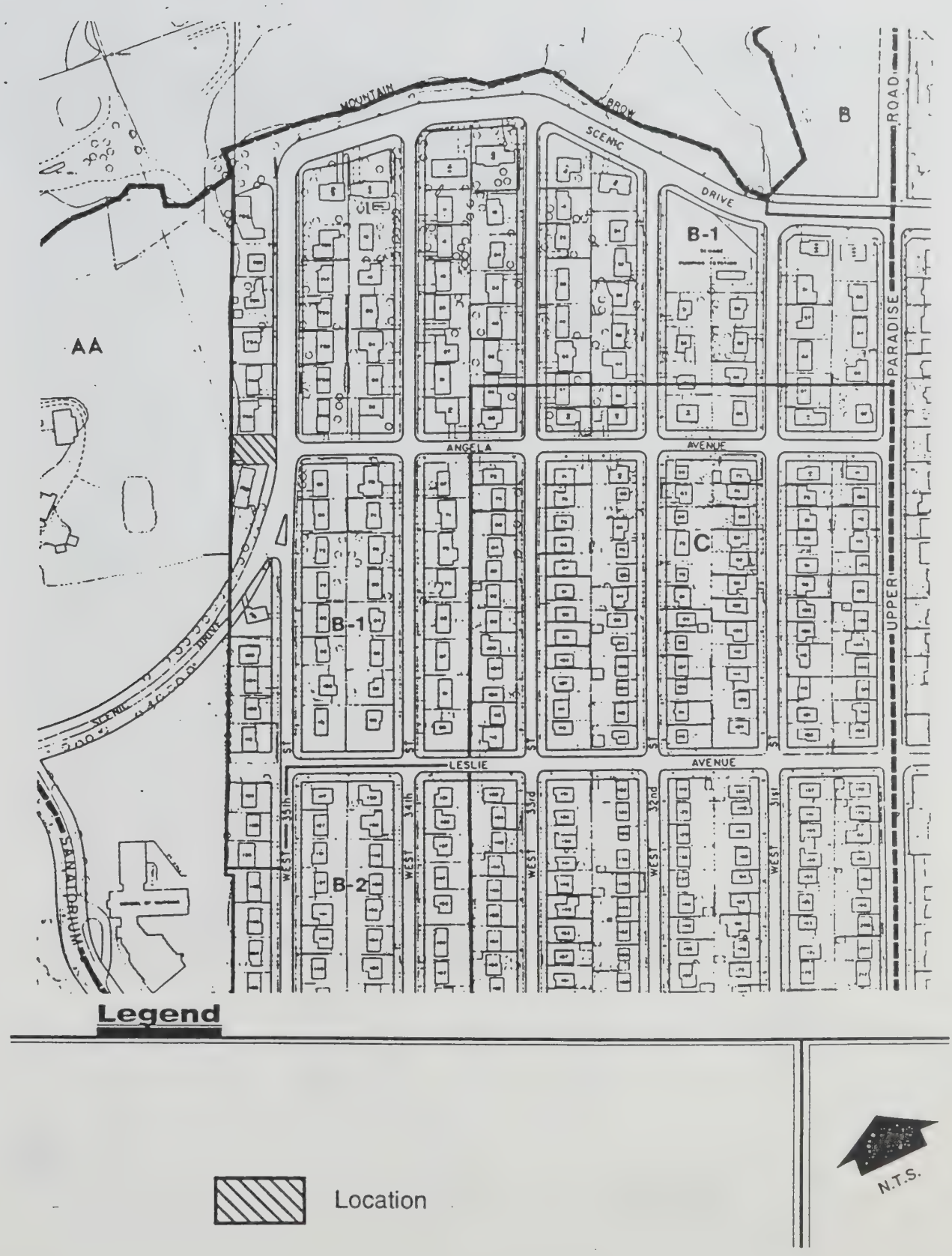
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

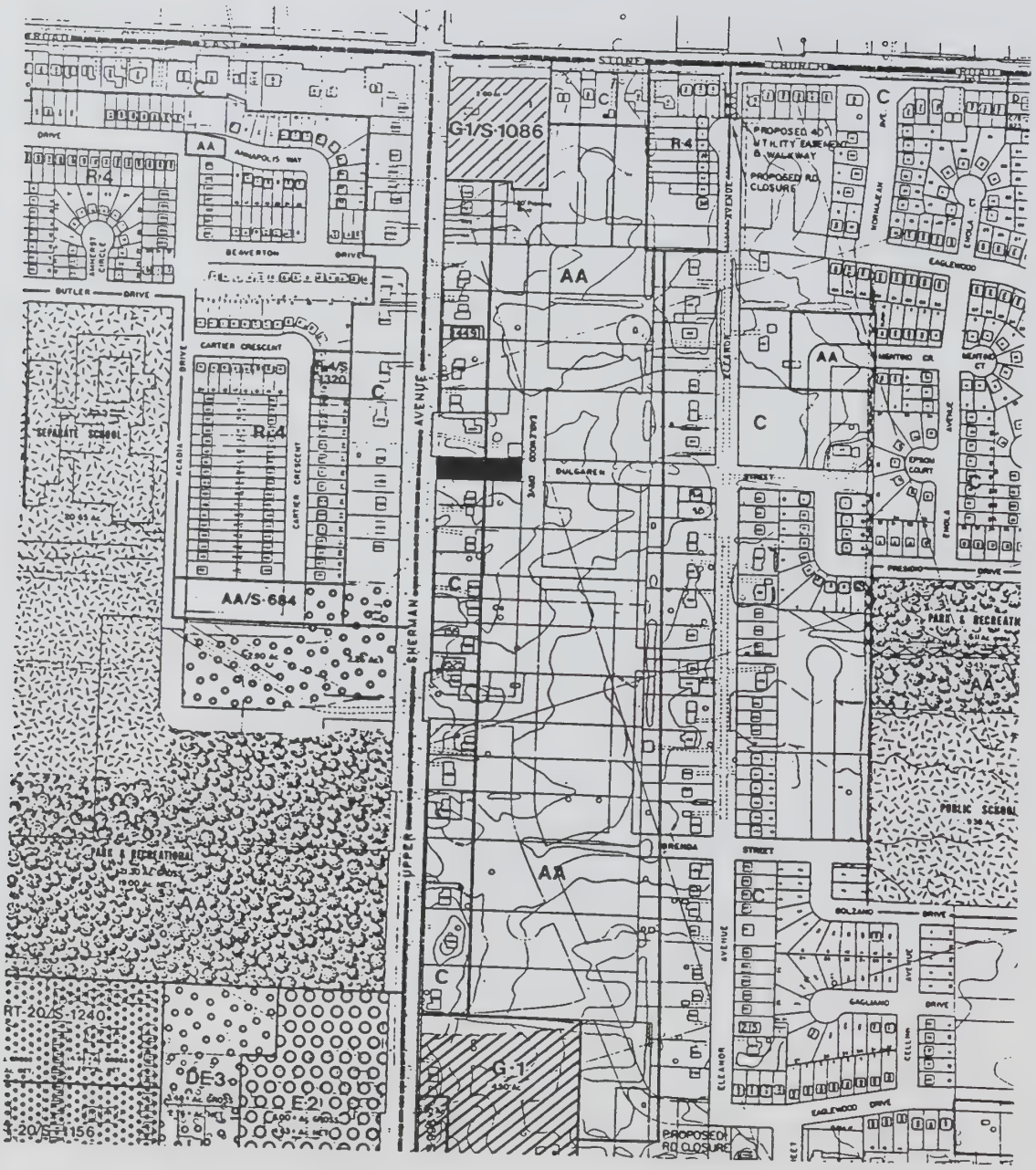
Legend

Site of the Application

North	Scale	Reference File No.
	Not to Scale	DA-94-32
	Date	Drawn By
	DECEMBER 1994	Z. K.

Appendix "B" referred to in Section 3(a) of the **FIFTH** Report of the Planning and Development Committee for 1997

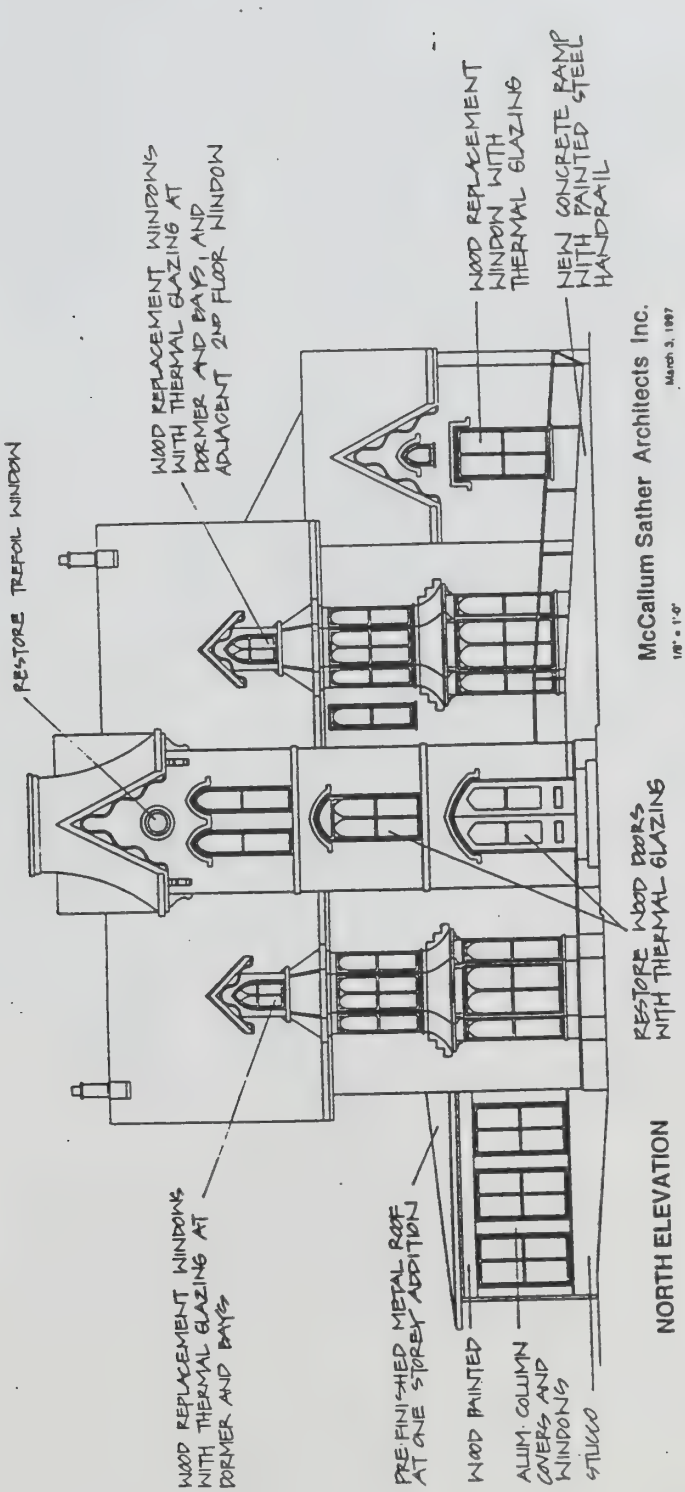


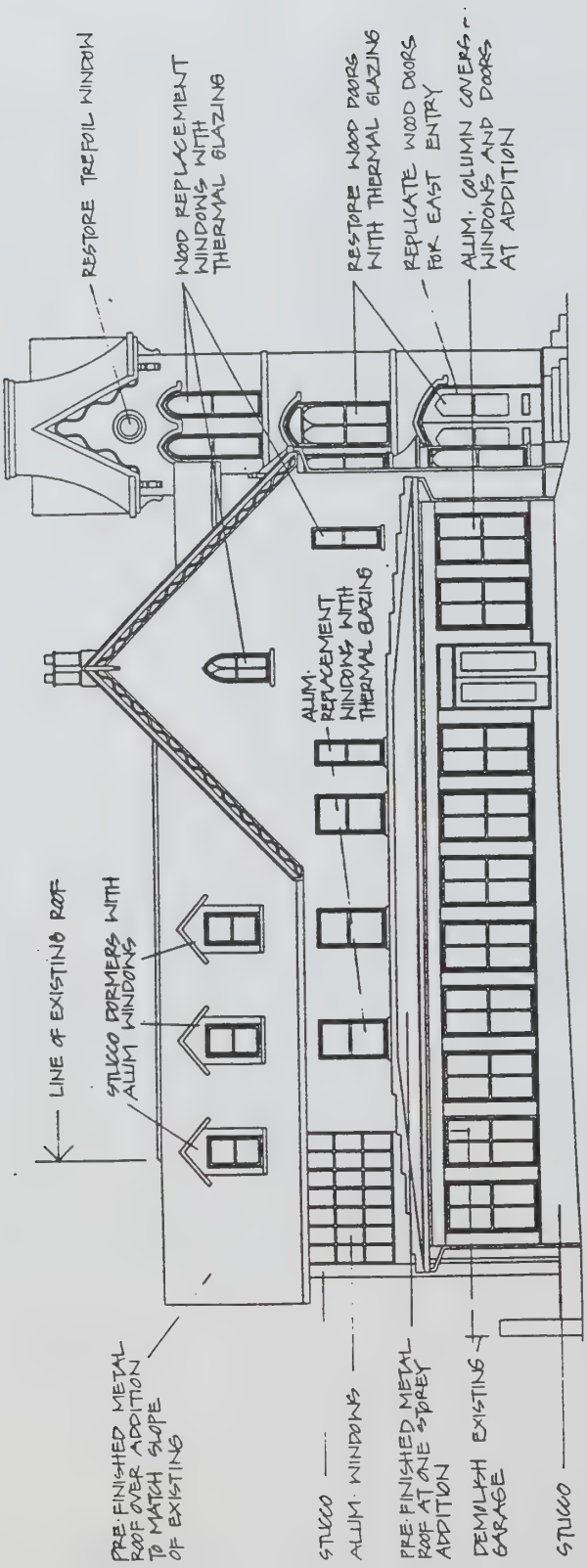


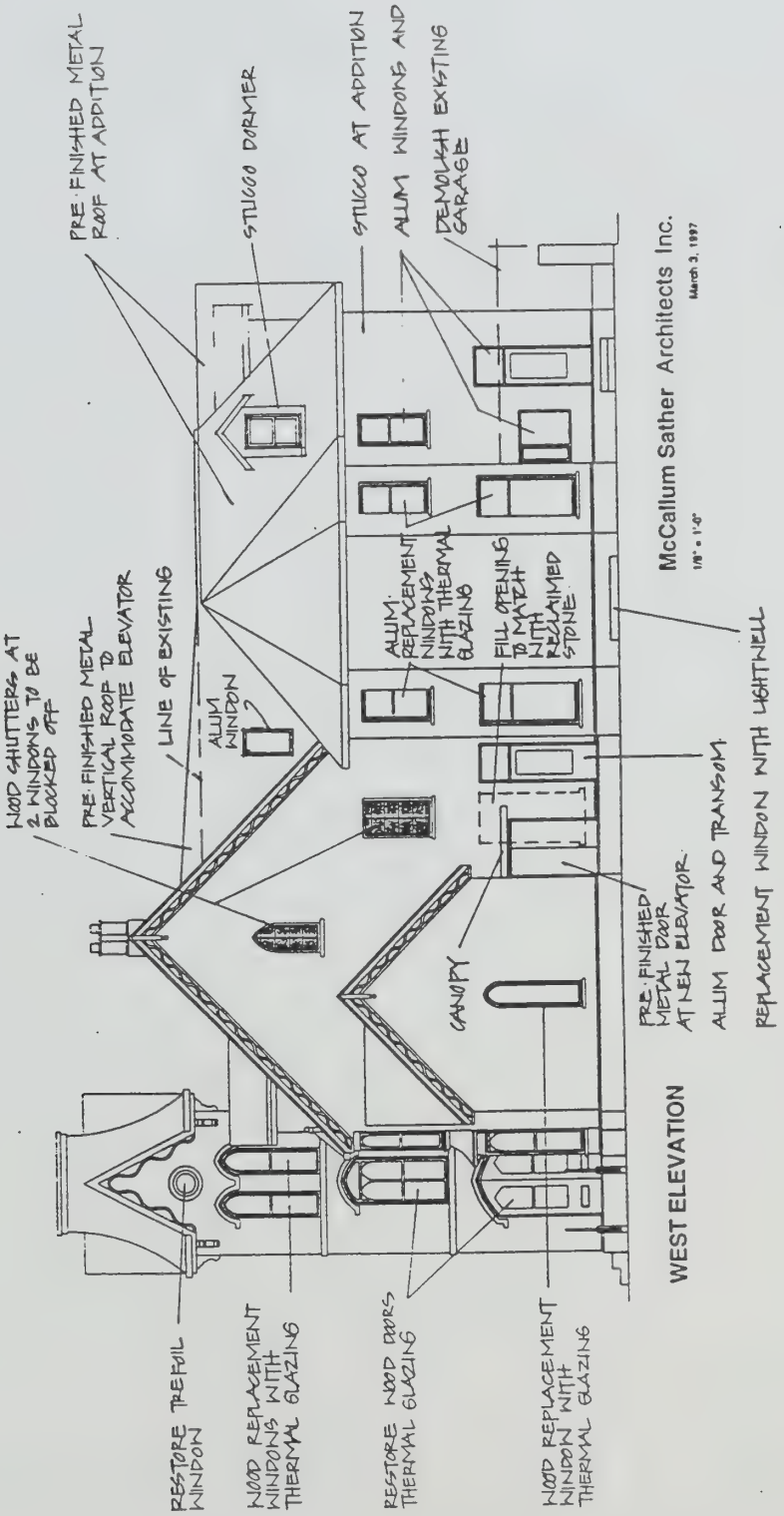
Legend

Portion of Dulgaren Street to be renamed

N.T.S.


RESTORE TREFOIL WINDOW
WOOD REPLACEMENT WINDOWS WITH THERMAL GLAZING AT DORMER AND BAYS, AND ADJACENT 2ND FLOOR WINDOW
WOOD REPLACEMENT WINDOW WITH THERMAL GLAZING
NEW CONCRETE RAMP WITH PAINTED STEEL HANDRAIL
McCallum Sather Architects Inc.
March 3, 1997
1/8" = 1'-0"
RESTORE WOOD DOORS WITH THERMAL GLAZING
WOOD REPLACEMENT WINDOWS WITH THERMAL GLAZING AT DORMER AND BAYS
PRE-FINISHED METAL ROOF AT ONE STOREY ADDITION
WOOD PAINTED
ALUM. COLUMN COVERS AND WINDOWS
STUCCO
NORTH ELEVATION


RESTORE TREFOIL WINDOW
WOOD REPLACEMENT WINDOWS WITH THERMAL GLAZING
RESTORE WOOD DOORS WITH THERMAL GLAZING
REPLICATE WOOD DOORS FOR EAST ENTRY
ALUM. COLUMN COVERS - WINDOWS AND DOORS AT ADDITION
ALUM. REPLACEMENT WINDOWS WITH THERMAL GLAZING
LINE OF EXISTING ROOF
STUCCO DORMERS WITH ALUM WINDOWS
PRE-FINISHED METAL ROOF OVER ADDITION TO MATCH SLOPE OF EXISTING
STUCCO
ALUM. WINDOWS
PRE-FINISHED METAL ROOF AT ONE STOREY ADDITION
DEMOLISH EXISTING GARAGE
STUCCO
EAST ELEVATION
McCallum Sather Architects Inc.
March 3, 1997
1/8" = 1'-0"


PRE-FINISHED METAL ROOF AT ADDITION
STUCCO DORMER
STUCCO AT ADDITION
ALUM WINDOWS AND DOOR
DEMOLISH EXISTING GARAGE
WOOD SHUTTERS AT 2 WINDOWS TO BE BLOCKED OFF
PRE-FINISHED METAL VERTICAL ROOF TO ACCOMMODATE ELEVATOR
LINE OF EXISTING
ALUM WINDOW
ALUM REPLACEMENT WINDOWS WITH THERMAL GLAZING
FILL OPENING TO MATCH WITH REMAINED STONE
McCallum Sather Architects Inc.
March 3, 1997
1/8" = 1'-0"
CANOPY
PRE-FINISHED METAL DOOR AT NEW ELEVATOR
ALUM DOOR AND TRANSOM
REPLACEMENT WINDOW WITH LIGHTWELL
WEST ELEVATION
RESTORE TREFAIL WINDOW
WOOD REPLACEMENT WINDOWS WITH THERMAL GLAZING
RESTORE WOOD DOORS THERMAL GLAZING
WOOD REPLACEMENT WINDOW WITH THERMAL GLAZING

1997 March 25

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. That the current term of office of the City's appointee to the Hamilton Harbour Commission, Duncan Beattie, be extended until 1997 September 1.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

   D-13 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1997 February 4

URBAN\MUNICIPAL
CA4ON HBL A05
A31
1997

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 MARCH 25
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593

Respecting:

RENDERING PLANTS

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 3rd Report of the Planning and Development Committee at its meeting held on the 25th day of February 1997, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to rendering plants, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2.(2)E.(vii) of Zoning By-law No. 6593 is amended by deleting the words "tallow-rendering or other reducing or rendering plant", so the definition reads as follows:

> ""**Animal By-Product Plant**" shall mean and include a gelatine or glue factory, a bone-meal factory, organic fertilizer plant, and any other plant or premises used for any such purpose;"

2. Section 16.(1)(xiii)(c) of Zoning By-law No. 6593 is amended by deleting the words "within the meaning of The Public Health Act" so the clause reads as follows:

> "any other animals products manufacture which is an offensive manufacture;"

3. Section 17.(1)(vii) of Zoning By-law No. 6593 is amended by deleting the words "tallow-rendering plant" so the clause reads as follows:

> "A slaughter house, tannery, glue factory, or any other factory for the manufacture of Animal Products;"

4. Section 18.(1)(vi) of Zoning By-law No. 6593 is amended by deleting the words "within the meaning of The Public Health Act or regulations thereunder" so the clause reads as follows:

> "An animal by-products plant, an abattoir or slaughter house for other than the killing of rabbits or poultry, a tannery, and any other use which may be an offensive manufacture;"

5. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 3 R.P.D.C. 3, February 25
City Initiative 96-H

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593
and To Repeal Zoning By-laws No. 83-217 and 89-276

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 10 HERKIMER STREET AND 9 AND 11 CHARLTON AVENUE WEST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-217 on the 27th day of July 1983 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "E-1" District, in respect of the land located at Municipal No. 10 Herkimer Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 4th day of November 1983, (File No. R 831498);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 89-276 on the 26th day of September 1989 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "E-1" District, in respect of land located at Municipal No. 10 Herkimer Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 2nd Report of the Planning and Development Committee at its meeting held on the 11th day of February 1997, recommended that Zoning By-law No. 6593, be further amended as hereinafter provided;

AND WHEREAS it is expedient to consolidate into this by-law the provisions of said By-laws No. 83-217 and 89-276 subject to the amendments to such provisions as provided for hereinafter in this by-law and to repeal By-laws No. 83-217 and 89-276 upon enactment of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"E-1"** (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11A of Zoning By-law No. 6593, applicable to the Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsections 11A(1)(i) and 11(1)(iiib) of Zoning By-law No. 6593, the following RESIDENTIAL USE shall be permitted:

(i) a residential care facility for the accommodation of not more than 77 residents, provided that said residents shall not be less than 60 years of age;

(b) notwithstanding Section 11A(3)(ii)(b) of Zoning By-law No. 6593, there shall be provided and maintained;

(i) along the westerly lot line of Block 2, a side yard of not less than 1.26 m in width;

(ii) along the northerly lot line of Block 2, a side yard of not less than 4.5 m in width;

(iii) along the westerly lot line of Block 1, a side yard of not less than 3.05 m in width;

(iv) along the northerly lot line of Block 1, a front yard of not less than 3.05 m in depth; and

(v) along the easterly lot lines of Blocks 1 and 2, a side yard of not less than 2.52 m in width;

(c) Section 11A(7) of Zoning By-law No. 6593 shall not apply;

(d) notwithstanding Sections 18A(9) and (10) of Zoning By-law No. 6593, a portion of the required manoeuvring space for the parking on Block 1 shall be provided on No. 15 Charlton Avenue West;

(e) notwithstanding Section 18A of Zoning By-law No. 6593, not less than ten (10) off-street parking spaces shall be provided and maintained on the site.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirements referred to in section 2.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1377.

4. Sheets No. W5 and W6 of the District Maps are amended by marking the lands referred to in section 2 of this by-law, S-1377.

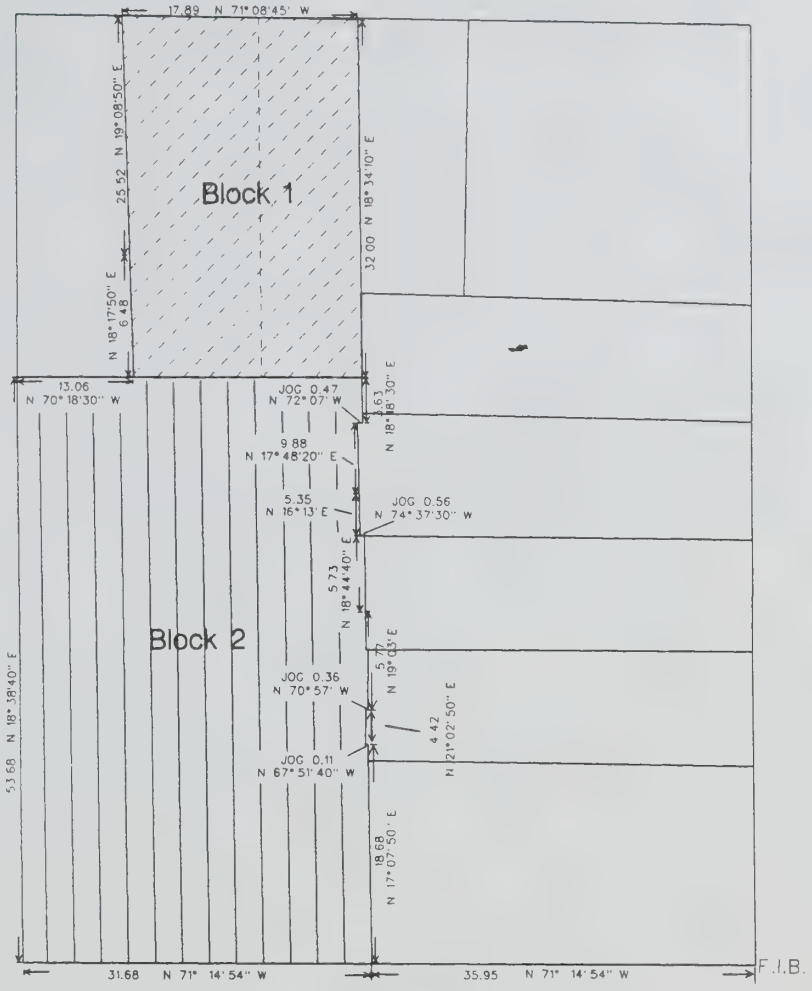
5. By-laws No. 83-217 and 89-276 are hereby repealed in their entirety.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

CHARLTON AVENUE WEST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By-Law No. 97-____

to Amend By-Law No. 6593

Planning and Development Department

Legend
Modification to:

Block 1 — "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.

Block 2 — Further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-96-12
	Date	Drawn By
	Feb. 1997	Jason Moores

BY-LAW NO. 97 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF MARCH, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of March 1997

CITY CLERK MAYOR

URBAN\MUNICIPAL
CA4 ON HIBL AOS
A31
1997

URBAN MUNICIPAL
APR 7 1997
GOVERNMENT DOCUMENTS

1997 April 4

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1997 April 8
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
City Clerk

AGENDA

1. ***National Anthem.***

2. ***Opening Prayer.***

3. ***Adoption of the minutes of the meeting held 1997 March 25 and the special meeting held 1997 April 3.***

4. ***Correspondence***

5. ***Reports of the Standing Committees:***

   (c) Planning and Development Committee
   (d) Finance and Administration Committee

6. ***Notices of Motion for next meeting.***

7. ***Question Period.***

8. ***Adjournment.***

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

MINUTES

Minutes of Hamilton City Council
Tuesday, 1997 March 25
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross.

Aldermen: Alderman V. J. Agro - vacation
Alderman G. Copps - vacation
Alderman H. Merling - civic business

Mayor Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was played.

* * * * * * * * * * * *

Rabbi Morton Green, Adas Israel Synagogue led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1997 March 11 and the special meeting held 1997 March 18 were adopted as circulated.

PRESENTATION

Mayor R. Morrow presented a Certificate of Recognition to Bill Sharpe, Owner, President and C.E.O. of Lakeport Brewing Corporation for his significant contribution to Copps Coliseum and Hamilton Place for his outstanding corporate support that helped make our Sesquicentennial Celebrations a great success.

CORRESPONDENCE

1. Letter dated 1997 March 17 from the Ontario Public Service Employees Union, Leah Casselman regarding provincial downloading.

   Received.

2. Letter dated 1997 March 11 from Frank Mulas for a change in zoning from "AA" (Agricultural) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District for property located west of Omni Boulevard south of Upper Horning Road and north of Stone Church Road West, Hamilton, Ontario.

   Received.

3. Letter dated 1997 March 19 from Whatmough Management Inc. for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for 412 Aberdeen Avenue, Hamilton, Ontario.

   Received.

4. Letter dated 1997 March 24 from A.R.P. Construction Ltd, 45 Christopher Drive, Hamilton for a modification to the "DE" (Low Density Multiple Dwellings) District for 780 Upper Paradise Road, Hamilton, Ontario.

   Received.

5. Letter from R. C. Prowse, Regional Clerk for the Regional Municipality of Hamilton-Wentworth respecting a motion adopted by Regional Council at its special meeting held March 11, 1997 re: Local Government Restructuring.

   Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: -0. **CARRIED.**

PARKS AND RECREATION COMMITTEE - THIRD REPORT

Section 5(a) Re: Hamilton Filipino Community Centre - Festival - Bayfront Park; Hamilton Folk Arts Heritage Council-It's Your Festival - Gage Park; St. Demetrios Church - Hellenic Community Festival - Victoria Park; Festitalia Corporation and Carmens Catering Ltd. - Family Style Picnic - Bayfront Park.
Re: Sale of Alcoholic Beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * * * * * * *

Section 5(b) Re: Portuguese Assoc. of St. Michael - Festival - Dundurn Park Pavilion; Art Gallery of Hamilton - Fundraising Event-Commonwealth Square; World Conference on Disaster Management - Commonwealth Square; Hamilton & District Labour Council - Parade/Picnic - Dundurn Park.
Re: Sale of Alcoholic Beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * * * * * * *

Section 6 Re: Greater Hamilton Aquafest - Various Parks - Sale of Alcoholic Beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * * * * * * *

Rule No. 9 Re: Awarding of Contract - Barrier Free Design Modifications

It was moved by Alderman Eisenberger and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order permit consideration of a resolution respecting the award of a contract for the Barrier Free Design Modifications at Mountain Arena. **CARRIED.**

* * * * * *

Section 18 Re: Barrier Free Design Modifications - Mountain Arena

It was moved by Alderman Eisenberger and seconded by Alderman Anderson:

That the Third Report of the Parks and Recreation Committee for 1997 be amended by adding the following resolution concerning the awarding of a contract for the Barrier Free Design Modifications at Mountain Arena as Section 18:

18. (a) That a purchase order be issued to STF Construction Limited of Hamilton, Ontario as the General Contractor (lowest bid) for the Barrier Free Design Modifications at Mountain Arena. The Contract amount will be $126,350 plus construction contingency of $20,000 plus applicable GST of $10,245 to a total of $156,595; and,

(b) That the work be financed from Canada Ontario Infrastructure Programme, Barrier Free Access-City Bldgs CF809453005; and,

(c) That a contract satisfactory to the City Solicitor be entered into between the City and the Contractor; and,

(d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City." **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - FIFTH REPORT

Section 3 Re: Niagara Escarpment Commission Development Permit

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Ross. -13

NAYS: Alderman D'Amico. -1. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - FIFTH REPORT

Section 1 Re: Term of Office - Hamilton Harbour Commission - Duncan Beattie

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Collins. -1. **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SIXTH REPORT

Section 1 Re: Payment of Outstanding debts incurred Re: hosting '96 Grey Cup Game

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, McCulloch, Wilson. -3. **CARRIED.**

* * * * * * * * *

Section 2 Re: Grey Cup Game - Region assuming 50% for the financial losses

It was moved by Alderman Kiss and seconded by Alderman Wilson that the following be added as Section 2 of the Sixth Report of the Finance and Administration Committee for 1997:

2. That the issue of the Region assuming fifty (50) percent of the losses for the Grey Cup Game, be referred to the Regional Finance Committee. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF APRIL, 1997

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Morelli be appointed Acting Mayor for the month of April, 1997. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

City Council then adjourned at 8:35 o'clock p.m.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 March 25
JJS/dg

Meeting of Committee of the Whole/City Council
Thursday, 1997 April 3
10:00 o'clock a.m.
Room 233, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman M. Caplan - another commitment
Alderman D. Drury - civic business
Alderman H. Merling - civic business

Mayor Morrow called the meeting to order.

* *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -11.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - FIFTH REPORT
Re: General Grant Recommendations
Parking Authority Current Budget
N.H.L. - Competition Bureau

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, D'Amico, Ross. -11.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 2:45 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 3
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1997 and respectfully recommends:

1. (a) That the Parking Authority Current Budget be approved in the total amount of $4,241,570 as outlined in Appendix "A" attached hereto, which includes the provision for the financing cost for capital and debt charges, and bridge financing cost due to the operation deficit, but do not include actual payment of debt charges.

   (b) That the City Treasurer be authorized to provide financing of the current and future year's negative balance of the Reserve for Off-Street Parking, Account Centre No. CH 00202, from the Reserve for Debt Charges, Account Centre No. CH 00108, and that the Parking Authority operating accounts be charged with the financing cost calculated at the rate used to earn interest income on reserves.

   (c) That the Parking Authority Capital Budget requirement be reduced from $150,000 to $100,000 in 1997 and to $50,000 in 1998 through 2006 until the City loans are fully paid off and that the financing of these Capital projects be revised accordingly.

2. That the 1997 General Grant Recommendation as outlined in Appendix "B", Column 3, attached hereto, be approved in the total amount of $233,130 and funded from within the Grants Centre CH 200XX;

3. (a) That the Chief Executive Officer be directed to proceed with the preparation of a brief to the Competition Bureau respecting the National Hockey League's territorial rights; and,

   (b) That the City's Legal Department be utilized for the purpose of preparing such a brief; and,

   (c) That alternate legal counsel be retained as required at an expense not to exceed $15 000.

4. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

E-4 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 April 3

The Parking Authority of the City of Hamilton

1997 CURRENT BUDGET

Appendix "A" as referred to in Section 1 of the Fifth Report of the Committee of the Whole for 1997.

DESCRIPTION (1)	1996 ACTUAL (2)	1996 ESTIMATE (3)	1997 MAINTENANCE BUDGET (4)	SERVICE/ PROGRAM PACKAGE REDUCTION (5)	1997 ORIGINAL ESTIMATE (6)	COUNCIL/ COMMITTEE ADJUSTMENT INC/(DEC.) (7)	1997 RESULTANT APPROPRIATION (8)	INCREASE/(DECREASE) OVER 1996 ESTIMATE AMOUNT (9)	% (10)
TOTAL OPERATING REVENUES:									
ADMINISTRATION	168,327	172,000	172,000		172,000		172,000	0	0.0%
PERMANENENT FACILITIES	1,752,984	2,057,970	2,041,480		2,041,480		2,041,480	(16,490)	-0.8%
URBAN RENEWAL LOT	34,272	40,090	40,090		40,090		40,090	0	0.0%
CONVENTION CENTRE	1,047,891	1,200,000	1,108,000		1,108,000		1,108,000	(92,000)	-7.7%
ON-STREET PARKING	915,775	975,000	945,000		945,000		945,000	(30,000)	-3.1%
TOTAL REVENUE	3,919,249	4,445,060	4,306,570	0	4,306,570	0	4,306,570	(138,490)	-3.1%
TOTAL OPERATING EXPENDITURES:									
ADMINISTRATION	930,277	910,180	905,770		905,770		905,770	(4,410)	-0.5%
PERMANENENT FACILITIES	1,953,705	1,901,900	1,930,850		1,930,850		1,930,850	28,950	1.5%
URBAN RENEWAL LOT	18,830	17,970	18,240		18,240		18,240	270	1.5%
CONVENTION CENTRE	1,143,379	1,149,240	1,156,180		1,156,180		1,156,180	6,940	0.6%
ON-STREET PARKING	53,779	60,000	60,000		60,000		60,000	0	0.0%
SUB-TOTAL	4,099,970	4,039,290	4,071,040	0	4,071,040	0	4,071,040	31,750	0.8%
OPER SURPLUS BEFORE FINANCING COSTS	(180,721)	405,770	235,530		235,530		235,530	(170,240)	-0.4195
TOTAL FINANCING COSTS:									
CAPITAL FINANCING COST	28,995		29,000		29,000		29,000	29,000	
DEBT CHARGES FINANCING COST	55,495		136,730		136,730		136,730	136,730	
BRIDGE FINANCING COSTS	0		4,800		4,800		4,800	4,800	
SUB-TOTAL	84,490	0	170,530	0	170,530	0	170,530	170,530	
TOTAL OPERATING EXPENDITURES:	4,184,460	4,039,290	4,241,570	0	4,241,570	0	4,241,570	202,280	5.0%
NET INCOME/(DEFICIT):	(265,211)	405,770	65,000	0	65,000	0	65,000	(340,770)	-84.0%

1997 April 3

NOTE: THE CITY OF HAMILTON PROVIDED A LOAN TO THE PARKING AUTHORITY TO FINANCE VICTORIA AVENUE LAND ACQUISITION AND DEBT CHARGES

1996 CITY OF HAMILTON LOAN	$1,395,611
1997 CITY OF HAMILTON LOAN	$2,449,965

11:57:26 AM

Appendix "B" as referred to in Section 2 of the Fifth Report of the Committee of the Whole for 1997.

The Corporation of the City of Hamilton
1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
1	The Advertising & Sales Club of Hamilton *– to help defray costs in connections with the Annual Distinguished Citizen of the Year Award*	**$0**	$1,000	
2	**Aqua Knights of Hamilton** ***– to subsidize user fees for community center pool time***	**$0**	**$665**	
3	Associazione Nazionale Combattenti E Reduci *– to defray cost of events & annual operating costs*	**$1,000**	$5,000	$980
4	Ballet Youth Ensemble *– to offset annual operating expenses and capital to get office equipment*	**$10,000**	$25,000	$6,000
5	Catholic Family Services of Hamilton–Wentworth *– to enable Self Program (persons with disabilities) the opportunity to participate in summer activities*	**$500** ****Subj to F/S**	$500	$500
6	**Central City Children's Choir** ***– to subsidize all costs of the choir, to avoid user fees or to pass on costs to members***	**$1,500**	**$10,000**	
7	**Comm. Skills Training for Children of Hamilton–Wentworth (S.T.A.R. of Hamilton–Wentworth)** ***– to provide children with after school sports activities and provide Site Co–ordinators***	**Note 4**	**$33,000**	
8	Conqueror II Drum & Bugle Corps *– offset annual operating expenses and assist with the purchase of drums, uniforms, guard equipment*	**$6,000** **Note 1**	$9,999	$6,000
9	Cycle Hamilton *– to offset the cost of annual racing series*	**$4,000**	$7,500	$5,000
10	Dictionary of Hamilton Biography *– operating costs for producing Volume IV*	**$0**	$12,000	
11	**The Easter Seal Society, Central Western Region** ***– to provide a 1997 Mark Break Program for physically disabled teenagers in Hamilton area***	**$0**	**$1,132**	
12	**Firestone Choral Festival** ***– to defray costs of Firestone Choral Fest***	**Note 2**	**$7,500**	

See Notes at end of Appendix

The Corporation of the City of Hamilton
1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
13	Hamilton All Star Jazz Bands *– offset annual operating costs*	**$4,000**	$6,000	$4,000
14	Hamilton Artists Inc. *– offset annual operating expenses*	**$7,000**	$9,000	$7,000
15	Hamilton Association for Community Living *– to hire staff person for pilot project*	**$0**	$22,204	
16	**Hamilton Camera Club** ***– to purchase audio/video equipment***	**$0**	**$1,671**	
17	Hamilton Cardinals Baseball *– to assist with annual operating expenses*	**$2,400**	$2,400	$2,400
18	Hamilton Children's Choir *– to assist with the operating expenses of the choir*	**$700**	$1,500	$700
19	Hamilton Concert Band *– to assist with ongoing expenses of the band*	**$3,000**	$3,000	$3,000
20	Hamilton Cultural & Ethnic Mosiac Association *– offset operating costs of festival*	**$0**	$20,000	$1,500 Unbudgeted
21	Hamilton District Baseball Association *– to offset general operating expenses*	**$4,000** ****Subj to F/S**	$9,000	$4,000
22	Hamilton & District Extend–a–Family *– to buy a printer*	**Note 3**	$500	
23	Hamilton & District Labour Council *– to help offset the costs of the annual Labour Day Parade and Picnic*	**$1,000**	$1,000	$1,000
24	**The Hamilton District Science & Engineering Fair** ***– to help offset the costs of the fair***	**$0**	**$6,000**	
25	Hamilton Folk Arts Heritage Council *–offset the operating expenses for "It's Your Festival" and "A Safari"*	**$10,000** ****Subj to F/S**	$40,000	$8,800
26	Hamilton Gallery of Distinction *– offset the costs for the annual Induction Dinner*	**$5,000**	$5,000	$5,000
27	**Hamilton Golden Hawks Women's Hockey Club** ***– to offset operating expenses for ice rental***	**$0**	**$3,500**	

See Notes at end of Appendix

The Corporation of the City of Hamilton
1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
28	Hamilton Lacrosse Association *– for the development of the field and girls program*	**$5,000**	$40,000	$5,000
29	Hamilton Minor Football Association *– continue general activities – purchase and replacement of equipment to ensure safety*	**$9,000**	$9,000	$9,000
30	Hamilton Pontiacs Softball Team *– to offset the costs of diamond rental*	**$0**	$1,000	$880
31	Hamilton Safety Council *– to maintain the ongoing Safety Programs*	**$19,000**	$24,000	$19,000
32	**Hamilton Sesquicentennial Quilt** ***– costs in producing an instructional book***	**$0**	**$5,818**	
33	Hamilton Theatre Inc. *– to assist with annual operating expenses and $5,000 one time request for 40th Anniversary Show*	**$7,500**	$13,600	$7,500
34	The Hamilton Visual Art Centre *–offset operating expenses and acquire office equip.*	**$1,000** ****Subj to F/S**	$2,123	$1,000
35	**Hamilton–Wentworth FreeNet** ***–offset operating exp. & acquire office equip.***	**$0**	**$20,000**	
36	India Canada Society *– to operate general activities*	**$1,000**	$5,000	$1,000
37	**John Howard Soc. of Hamilton–Went. & District** ***– to operate the R.I.S.E. Up Summer Program for inner city youth***	**Note 4**	**$17,500**	
38	The John Laing Singers *– to offset annual operating expenses*	**$3,000** ****Subj to F/S**	$5,000	$2,000
39	Junior Achievement of Hamilton–Wentworth *– to offset operation expenses*	**$5,000**	$7,500	$5,000
40	Kiwanis Music Festival *– to defray costs of annual festival*	**$2,500**	$2,500	$2,500
41	**Leander Boat Club** ***– to purchase equipment***	**$0**	**$5,500**	
42	**Linden Park Optimist Band** ***–defray costs of new uniforms & upgrade equip.***	**$500**	**$1,500**	

The Corporation of the City of Hamilton
1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
43	Luso–Canadian Cultural Council of Hamilton *– to assist with costs of LUSOFEST*	**$3,000**	$7,000	$2,500
44	**The MacNab Circle** ***– towards the cost of bust of MacNab***	**$0**	**$3,000**	
45	Mahatma Gandhi Peace Festival Committee *– to assist with cost of Peace March*	**$0**	$5,405	
46	**The Mardi Gras Festival of Hamilton–Went. Inc.** ***– to promote events***	**$0**	**$10,000**	
47	**McMaster University** ***– to assist with establishing student bursary***	**$0**	**$150,000**	
48	Mom's Camp *– to buy watches to celebrate 5th anniversary*	**$1,000**	$1,950	$600
49	**Mount Hamilton Youth Soccer Ltd.** ***– to assist with ongoing operating expenses***	**$1,000**	**$5,000**	
50	Music in the City *– to offset the operating expenses for the Music in the City Concert Series*	**$2,000** ****Subj to F/S**	$10,000	$2,000
51	Native Indian/Inuit Photographers' Association *– to assist with ongoing operating expenses*	**$4,750**	$10,000	$4,750
52	91st Highlanders Athletic Association *– to assist with cost of annual Indoor Games*	**$40,000**	$50,000	$42,250
53	**North End Children's Centre Inc.** ***– to develop Rainbow Festival***	**$0**	**$20,000**	
54	Ontario Visually Impaired Golfers Corp. *– to offset expenses for golf lessons and fees*	**$2,000** ****Subj to F/S**	$2,500	$2,000
55	The Players' Guild of Hamilton Inc. *– to assist with improving the technical capabilities of their productions*	**$3,000**	$5,000	$2,950
56	Poseidon Aquatic Water Polo Club *– to offset general expenses*	**$480** ****Subj to F/S**	$1,000	$480
57	**Reach Forth Ministries** **– to purchase equipment**	**$1,000**	**$6,000**	

The Corporation of the City of Hamilton
1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
58	Ridge Raiders Drum & Bugle Corps *– to assist with annual costs and enable present programme to expand*	$6,000 Note 1	$12,000	$6,000
59	Romantic Arts Festival of Hamilton *– to offset expenses for the Festival*	$0	$28,000	
60	Royal Hamilton Military Institute *– to provide financial assistance in covering a portion of the fixed overhead costs*	$1,500	$27,000	$3,000
61	Saint Anthony's Feast *– to help pay for expenses for the event*	$2,500 **Subj to F/S	$40,000	
62	**Settlement and Integration Services Organization** ***– to pay for expenses related to the community honouring event***	$0	$4,565	
63	**Steel City Oktoberfest Inc.** ***– to conduct increased promotion of the event***	$0 **Subj to F/S	$10,000	
64	**Steel City Sound** ***– to conduct increased promotion of the event***	$0	$10,000	
65	Symfonia Choir of Hamilton *– to offset operating expenses*	$1,000	$10,000	$950
66	Symphony Hamilton *– to offset operating expenses*	$6,000 **Subj to F/S	$18,475	$6,000
67	**Victory Christian Centre** ***– to refurbish Youth Centre and buy equipment***	$0	$5,000	
68	Volunteer Centre of Hamilton & District *– to host the annual Volunteer Week activities*	$8,000	$10,000	$9,000
69	Wesley Urban Ministries Inc.–Kirkendall–Strathcona/ Wesley Centre– to provide recreational programs	$25,000	$50,000	$23,750
70	The YWCA of Hamilton *–offset operating exp. at Seniors' Centres*	Note 5	$56,000	
	SUB–TOTAL of Operating Grants	$221,830	$972,007	$214,990

The Corporation of the City of Hamilton
1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
71	Hamilton Filipino Community Centre *– to be used in the restoration of the building*	Note 6	$40,000	
72	Hamilton Victoria Curling Club *–offset cost of repairs & replacement of equip.*	Note 6	$9,990	
73	**H.O. Model Engineers Society, Inc. (H.O.M.E.S.)** ***–offset costs involved in relocating & lost rev.***	Note 6	$9,000	
74	**Lakeland Community Centre** ***– renovations to the building***	Note 6	$100,000	
75	**Shalom Villa** ***– to reimburse Shalom for development charges and to purchase stoves and fridges***	Note 6	$14,920	
76	The YWCA of Hamilton *– to repair exterior brick veneer*	Note 6	$60,000	
	SUB–TOTAL of Capital Grants	$0	$233,910	$0
	SUB–TOTAL of Operating & Capital Grants	$221,830	$1,205,917	$214,990

See Notes at end of Appendix

The Corporation of the City of Hamilton
1997 GENERAL GRANT SUBMISSIONS

Appendix B

Item No. (1)	Name of the Organization (2)	1997 Approved Grant (3)	1997 Requested Grant (4)	1996 Grant (5)
77	Comunita Racalmutese Maria SS Del Monte *– offset operating expenses for annual special event*	$5,000 **Subj to F/S	$20,000	$4,000
78	Concession Street B.I.A. – to offset costs of Streetfest	$1,000	$1,500	
79	Diverse Community Achievements (formerly Black Youth Achievements of Hamilton & Region Inc.) *– to continue to provide appropriate programs*	$9,000	$20,000	$2,940
80	Greek Canadian Orthodox Church *– to offset expenses for events*	$1,600	$9,000	$2,800
81	**Scoieta Culturale Sant Antonio Di Castrofilipo** ***– to help promote Hamilton to contacts in Italy***	$500	$1,500	
82	St. John Ambulance ***– to offset operating costs***	Note 4	??????	
	SUB–TOTAL of Late Grant Requests	$11,300	$52,000	$9,740
	Total Requested Amount	**$233,130**	$1,257,917	$224,730

BOLD INDICATES FIRST TIME APPLICANT

INDICATES LATE APPLICATION

Notes to the Appendix	
Note 1	Refer to Staff for a report on the organizations participants.
Note 2	Refer to HECFI.
Note 3	Refer to Staff to explore available equipment.
Note 4	Refer to the Region.
Note 5	Refer to Parks & Recreation Committee.
Note 6	Capital Grant requests are tabled pending Capital Funds availability.

See Notes at end of Appendix

CORRESPONDENCE

Correspondence:

1. Letter dated 1997 April 2 from Valerie Smith, P.O. Box 24040, Bullfrog Mall Postal Station, Guelph, Ontario Re: Rock Group "Marilyn Manson" appearing at Copps Coliseum.

Recommendation: **Be Referred to H.E.C.F.I.**

P.O. Box 24040, Bullfrog Mall Postal Station, Guelph, Ontario N1E 6V8
Telephone/fax 905-457-7191

April 2, 1997

Mayor Robert Morrow
City Councillors
City of Hamilton
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Mayor Morrow and Members of City Council:

Re: Rock group "Marilyn Manson" appearing at Copps Coliseum May 2, 1997

Further to my letter to you dated March 21, 1997 regarding the above rock group, I would like to bring the following to your attention.

Today, I spoke with Mr. Gabe Macaluso, Managing Director of Copps Coliseum, regarding this issue. He told me their lawyers advise that Copps Coliseum, because it is a publicly owned facility, cannot refuse to rent to any group because of their religion or politics. When I pressed him about the fact that "Marilyn Manson" appears to promote Nazism and that this fact has been commented on by people protesting the U.S. tour which is currently in progress, he advised me that even if the *Ku Klux Klan* wanted to rent the Coliseum, they would have to rent to them!

I can't imagine what legislation the Coliseum's lawyers have based this decision on. Canada does not have a history of *protecting* the rights of hate groups; quite the contrary. We, unlike the United States, have Criminal Code laws which prohibit the promotion of hatred and Human Rights Commissions which continually shut down their telephone lines, fight them in court, and use every means at their disposal to combat their recruiting efforts. And then there's Copps' Coliseum, with its "we welcome hate groups" policy. Unbelievable!

What you do in Hamilton affects more than the people of Hamilton, and hatred and violence travel particularly well -- especially when the message is pumped into the minds of kids. I would ask that this issue be discussed at a Council Meeting and, hopefully, some policy or resolution developed that will help to counteract the pro-violence event scheduled to take place on May 2, and other harmful events which could take place if the Copps' open-door policy becomes known to organized hate groups. I look forward to hearing from you.

Yours sincerely,

Valerie Smith

cc: The Hon. Sheila Copps
Ms Paddy Torsney, M.P., Burlington
Mr. Sher Singh, Toronto Star
B'nai Brith Canada

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1997 and respectfully recommends:

1. (a) That approval be given to City Initiative 96-G, for a general text amendment to Zoning By-law No. 6593 to define "charity gaming club", "table games" and "video lottery terminal (VLT)" and to permit a charity gaming club and video lottery terminal within the downtown area, as shown on Appendix "A" attached hereto, on the following basis:

(i) That a new Schedule "M" be added to Zoning By-law No 6593 as follows:

"Schedule M - Location of Charity Gaming Clubs"

(ii) That Section 2.(2)D. be amended by adding the following new definition:

(1) "(ibb) **"Charity Gaming Club"** shall mean any premises or parts thereof, containing table games and/or video lottery terminals.

For the purpose of this subclause;

(a) **"Table Games"** shall mean games played at a Charity Gaming Club and shall include blackjack, baccarat, roulette, poker and any other such games approved by the Gaming Control Commission; and

(b) **"Video Lottery Terminal"** shall mean a machine or device that allows a person to play a lottery scheme upon payment of money where that play may result in the receipt of a credit that can be redeemed for further play or money."

(iii) That Section 14 of Zoning By-law No. 6593 be amended by adding the following subclauses:

"14.(1)(xviib) charity gaming club provided:

(a) it is located within the Area shown on Schedule "M""; and,

(b) no institutional uses and residential uses, except a hotel are permitted within the same building.

(iv) That Section 15 of Zoning By-law No. 6593 be amended by adding the following subclause:

"15.(1)(xiva) charity gaming club provided:

(a) it is located within the Area shown on Schedule "M""; and,

(b) no institutional uses and residential uses, except a hotel are permitted within the same building.

(v) That Section 15A of Zoning By-law No. 6593 be amended by adding the following subclause:

"15A.(1)(xxiiia) charity gaming club provided:

(a) it is located within the Area shown on Schedule "M""; and,

(b) no institutional uses and residential uses, except a hotel are permitted within the same building.

(vi) That Section 15B of Zoning By-law No. 6593 be amended by adding the following subclause:

"15B.(3)(b)(21) charity gaming club provided;

(a) it is located within the Area shown on Schedule "M""; and,

(b) it is located wholly within a building used only for commercial or public uses as permitted in clauses (b) and (d).

(vii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

(viii) That the proposed modifications in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

(b) That City Council request Regional Council to consider a similar initiative to restrict charity gaming clubs to the "Regional Centre".

2. (a) That the Region be authorized to act as the City of Hamilton's agent by providing construction and contract administration services for the construction of the Barton Street Streetscaping Project between East Avenue and Leeming Street; and,

(b) That a purchase order be issued to the Region in the amount of $290,000. to cover the estimated cost of providing services; and,

(c) That $280,000. of the costs associated with these works be charged to Account Number CH 24107 00001 (a holding account) and, $10,000. be charged to Account Number CF 5204 428705008 (the Commercial Improvement Program).

3. (a) That the City of Hamilton, pursuant to its mandate of Community Improvement and Renewal under the Planning Act, implement the heritage funding program known as the "Gore 2000" Program, as generally outlined in Appendix "B" attached hereto, to provide matching grants to owners of buildings for facade restoration; improvement of storefront design and commercial signage; and installation of canopies, based on the Gore Heritage Design Study; and,

(b) That these matching grants be made available for buildings located within the Gore Heritage Area, King St. East from James to Catharine Streets, identified in Appendix "C" attached hereto.

4. That the Manager of Accounting and Purchasing be authorized and directed to issue an Open Order to Brantford Landscaping & Sodding Ltd., on behalf of the Treasury and Building Departments, based on prices received for Quotation C19-2-97, to provide final lot grading and sodding as and when required during 1997 in various subdivisions, being the lowest of six quotations received in accordance with specifications issued by the Manager of Accounting and Purchasing and Vendor's quotation, and be financed through Lot Grading Deficiencies Subdivision Account No. PR53700090.

5. (a) That under the Commercial Improvement Program, luminaires be affixed to building faces abutting alleyways within the Ottawa Street B.I.A., to increase security of the alleyways; and,

(b) That the City Solicitor be authorized to prepare the necessary legal agreements to attach and maintain the lighting fixtures to private property; and,

(c) That the Mayor and City Clerk be authorized to execute the agreements referenced in Sub-section (b).

6. That approval be given to the request by Alpha Development Service Inc., owner of the lands at 52-62 Victoria Avenue South, as shown on Appendix "D" attached hereto, for an extension to the approval of Site Plan Control Application DA-93-18 to April 8, 1998, and that at the end of this period if a Building Permit has not been issued, the proposed development must be subject to a new Site Plan Control Application.

7. (a) That the request by John Parente, Solicitor for 822827 Ontario Inc., owner, to remove part-lot control be approved to establish maintenance easements for Lots 1 - 19, inclusive, Registered Plan No. 62M-795, as shown on Appendices "E" and "F" attached hereto; and,

(b) That the appropriate By-law, to remove part lot control from Lots 1 to 19 inclusive, Registered Plan 62M-795, "Allison Estates - Phase 1, Stage 2" plan of subdivision, effective until 1998 May 1, be enacted by Council; and,

(c) That following enactment of this By-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law.

8. That the City of Hamilton accept the sum of $24,300 as a cash payment in lieu of the 5% land dedication in connection with "Wellington Chase - Phase 5", Hamilton, being the cash payment required under Section 51.1 of the Planning Act.

9. (a) That the City of Hamilton confirm that it claims no interest in a parcel of land known as 1198-1208 Stone Church Road East, Hamilton (pursuant to construction covenants to the City as contained in Instrument No. 411888CD) by quit claiming this land to the current owner; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

10. (a) That the budget payment schedule for the 1997 Barton Street murals, as outlined in Appendix "G" attached hereto, be approved for the Visual Arts component of the Barton Street Revitalization Program; and,

(b) That the City Treasurer be authorized and directed to forward $20,000 for the Visual Arts component (murals) to the Barton Street B.I.A..

11. That the total outstanding Commercial Property Improvement Loan Program for Pasquale DiDonato, 255 - 265 James Street North, in the amount of ten thousand, one hundred and thirty-two dollars and forty cents ($10,132.40) be placed on the tax rolls.

12. That the total outstanding Heritage Loan for Pasquale DiDonato, 255 - 265 James Street North, Hamilton, in the amount of three thousand, six hundred and sixty-four dollars and fifty cents ($3,664.50) be placed on the tax rolls.

13. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-18 A By-law to Amend By-law No. 87-308 as Amended by By-law Nos. 92-079 and 97-012 Respecting Members of the Board of Management of the Barton General Business Improvement Area.

(b) C-19 A By-law to Adopt Official Plan Amendment No. 137 Respecting Lands Located North of Burlington Street East and South of the Hamilton Harbour Within Industrial Sector Neighbourhoods "K", "L", "M" and "N".

(c) C-20 A By-law to Amend Zoning By-law No. 6593 as Amended by By-law No. 96-170 Respecting Lands Located West of West Fifth Street, South of the Proposed Mountain Freeway and North of Chester Street.

(d) C-21 A By-law to Amend By-law No. 86-73 as Amended by By-law Nos. 92-058 and 97-011 Respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.

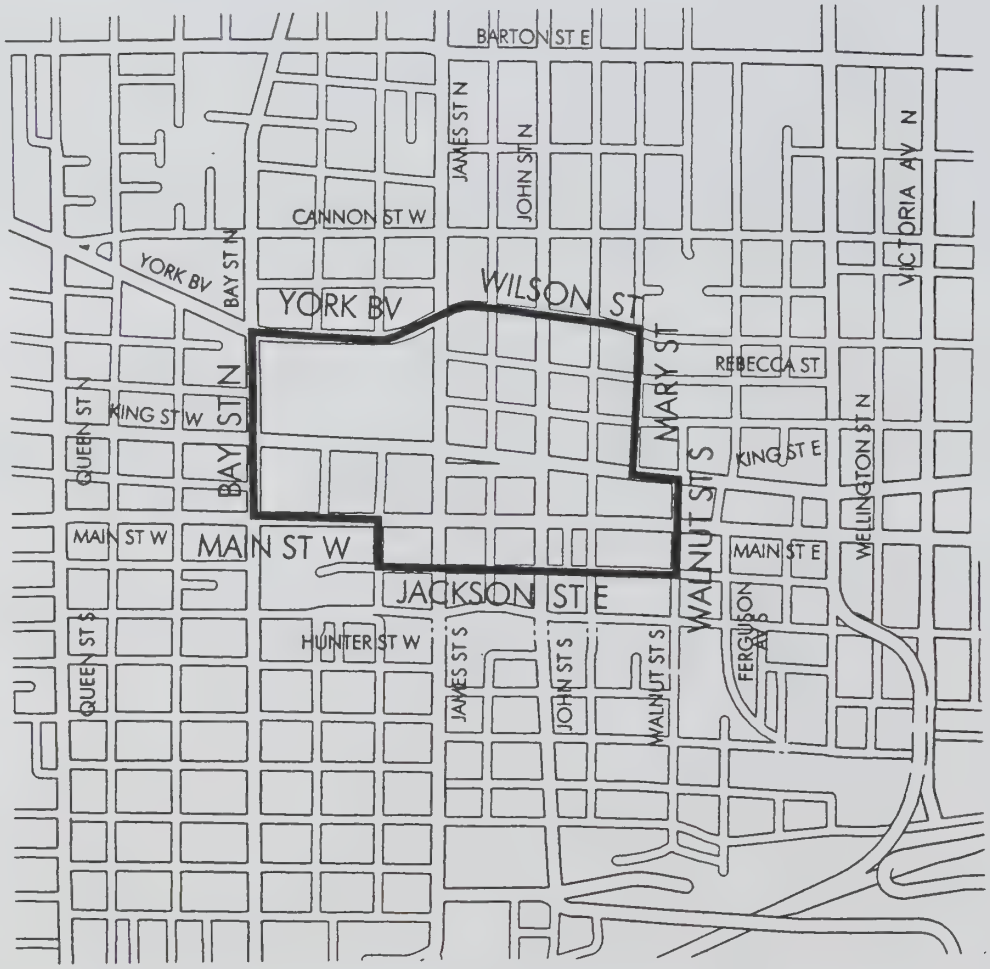
(e) C-22 A By-law to Remove Land Within the "Allison Estates - Phase 1, Stage 2" Subdivision, Plan 62M-795 from Part Lot Control.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Kevin Christenson, Acting Secretary
1997 April 2

Appendix "A" referred to in Section 1(a) of the **SIXTH** Report the Planning and Development Committee for 1997



City of Hamilton

Appendix "A"

Planning and Development Department

Legend

Location for Charity Gaming Clubs

North	Scale	Reference File No.
	NOT TO SCALE	CI 96-G
	Date	Drawn By
	April 1997	W. B.

PART A: **RESTORE THE BUILDING FACADES**

Purpose: To transform the public image of the Gore from an ailing inner core into a vibrant, renewed heart of the city through the restoration of its rich and genuinely historic architectural streetscape.

Eligible Work: Restoration of the historic facades includes repointing of masonry, repair or replication of the original cornice, windows, and decorative features such as window lintels, finials, cresting, etc., as well as the removal of unauthentic building facing, in accordance with the basic principles of heritage conservation and building improvement established in the Gore Heritage Design Study, approved by Council and "Guidelines for Heritage Conservation in the Gore".

Improvement to Storefront Design includes restoring large display windows, repairs to baseboards, transom windows, original columns and entrances, secondary doors, in accordance with the basic principles identified in the Gore Heritage Design Study, as well as improvement to the commercial signage and installation of canopies, which follows.

PART B: **IMPROVE THE QUALITY OF THE COMMERCIAL SIGNAGE**

Purpose: To rediscover the inherent quality of the Gore by replacing the over-sized and excessive signage with ones which are clear, attractive, consistent and which together create an exciting downtown core.

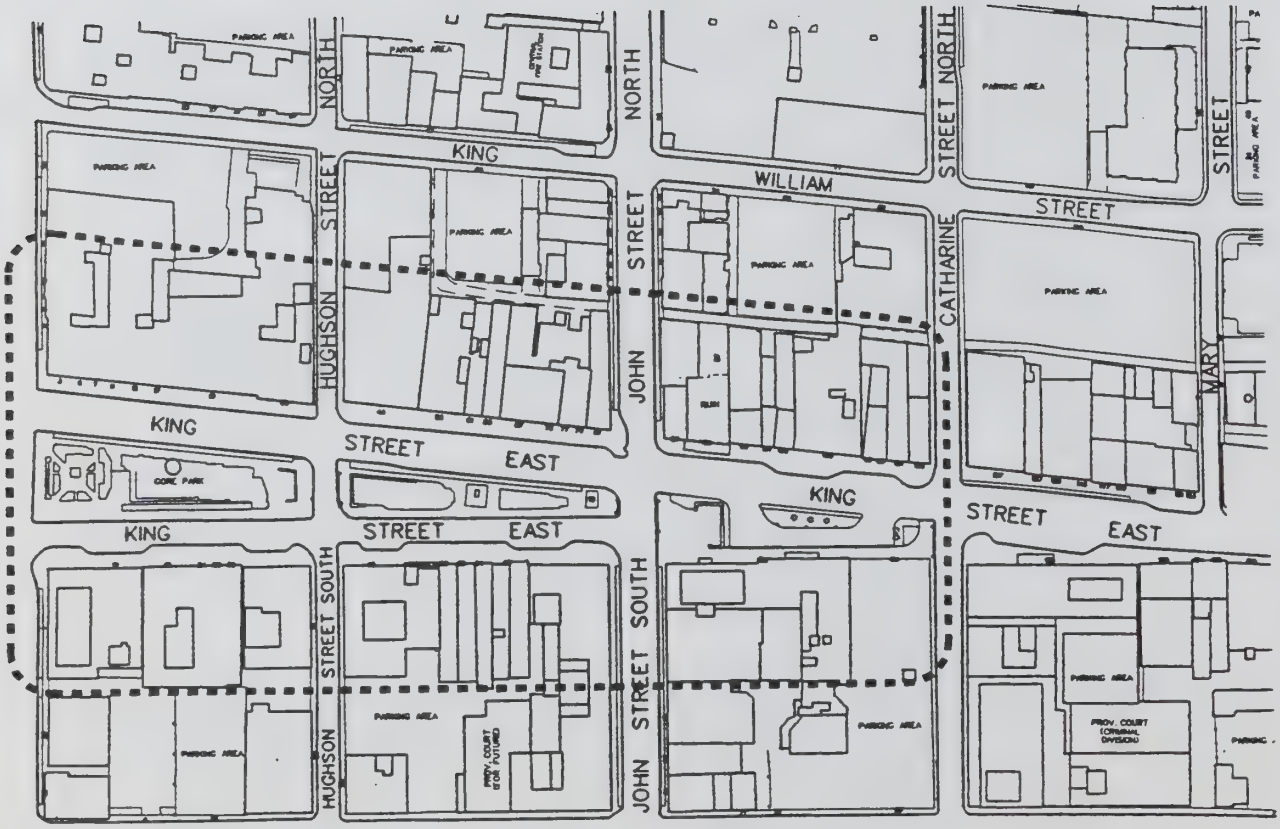
Eligible Work: Included in this category are the design, production and installation of commercial signage which is in accordance with the principles of good signage found in the Gore Heritage Design Study and the Signage Guidelines for the Gore. Design of the signage should fit with the character of the host building.

PART C: **ENHANCE THE PEDESTRIAN AMENITIES THROUGH THE USE OF AWNINGS/CANOPIES**

Purpose: To provide protection for pedestrians against rain, snow and excessive sun; and to introduce a dynamic design feature at the ground level which would create a visually lively and unifying enhancement of the public space.

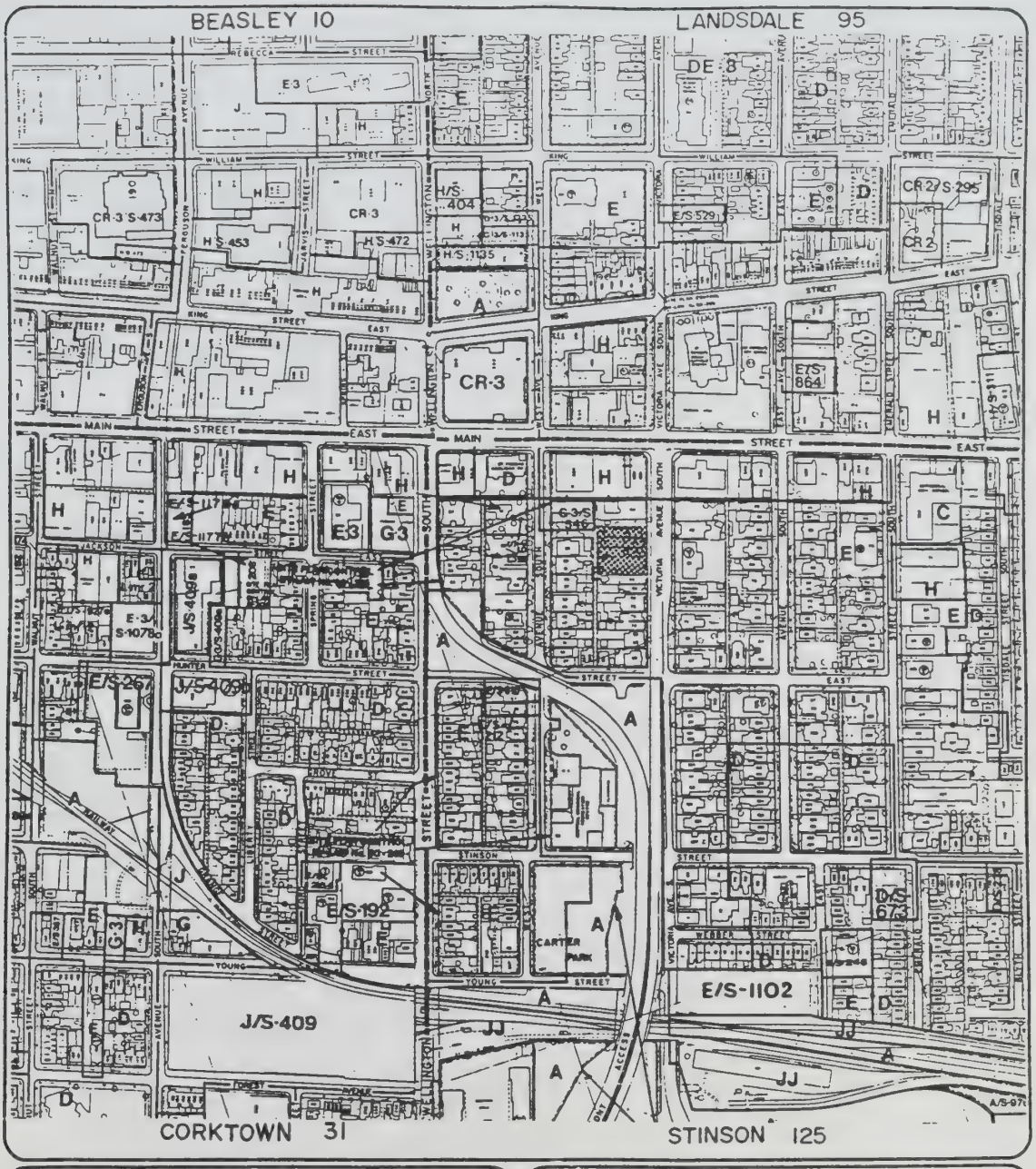
Eligible Work: Included as eligible costs are the design, production and installation of canopies, in accordance with the established guidelines and any by-law requirements which determine a minimum height, a standard width of projection and traditional location on the front facade.

GORE 2000 PROGRAM



GORE HERITAGE AREA

King Street East from James Street to Catharine Street



City of Hamilton

Plan Showing
Lands Subject to

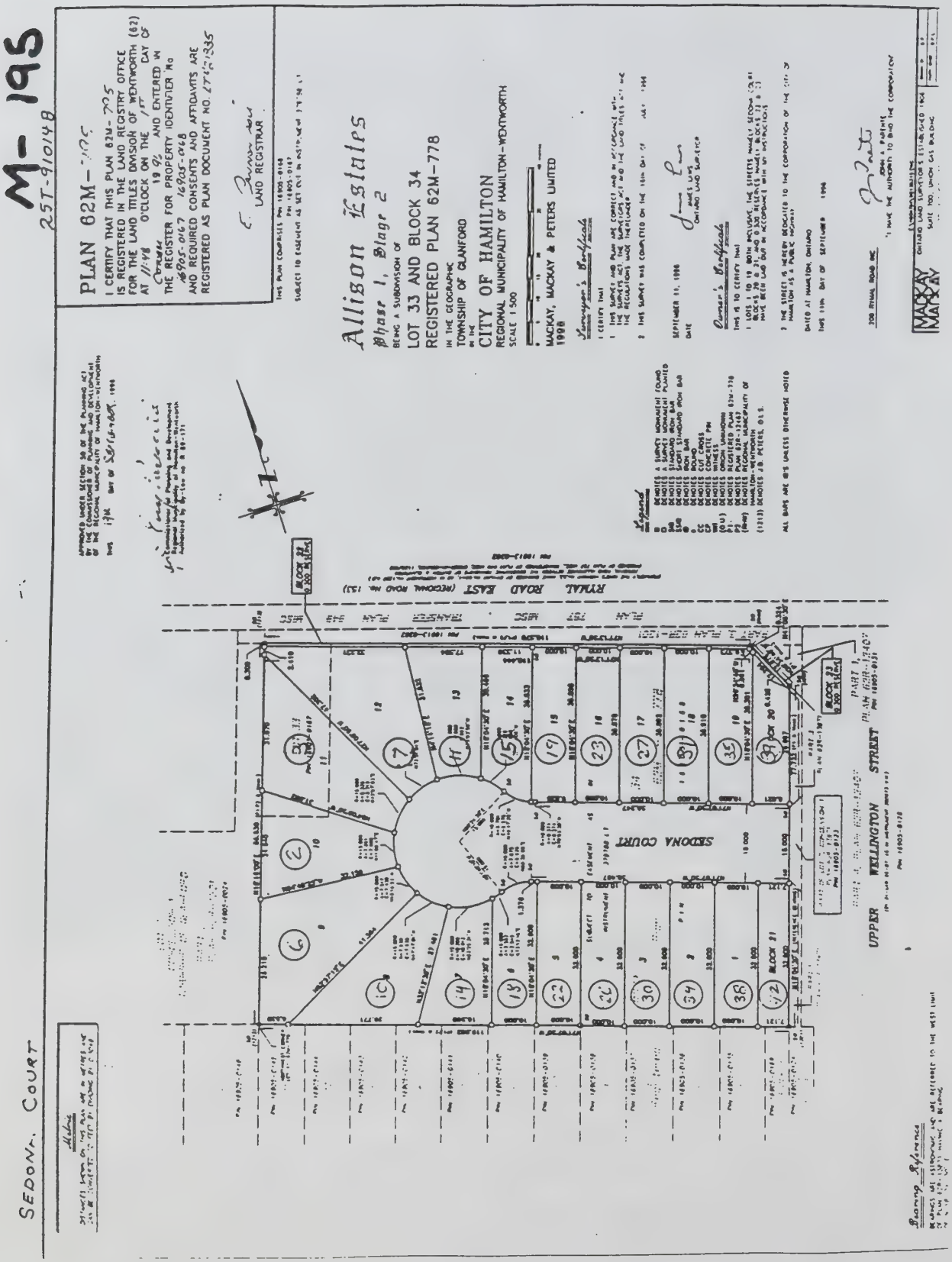
Site Plan Control Application DA-93-18

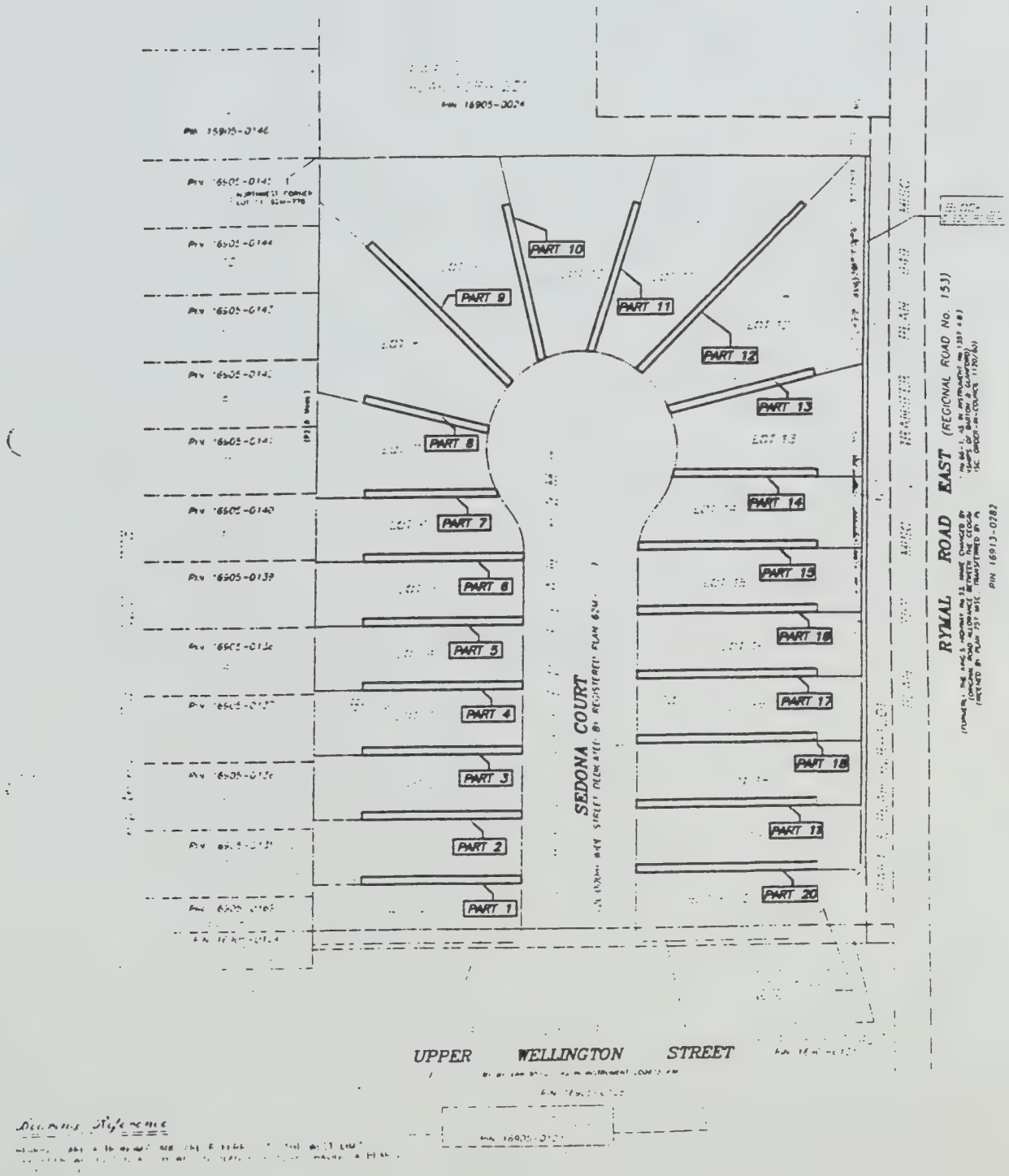
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Site of the Application

North	Scale	Reference File No.
	1:5000	DA-93-18
	Date	Drawn By
	JULY 6, 1993	P. W.


M-195
25T-910148
PLAN 62M-795
I CERTIFY THAT THIS PLAN 62M-795 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF WENTWORTH (62) AT 11:18 O'CLOCK ON THE 17TH DAY OF October 1995 AND ENTERED IN THE REGISTER FOR PROPERTY IDENTIFIER No 16905-0167 16905-0168 AND REQUIRED CONSENTS AND AFFIDAVITS ARE REGISTERED AS PLAN DOCUMENT NO. CT412335
LAND REGISTRAR
Allison Estates
Phase 1, Stage 2
BEING A SUBDIVISION OF
LOT 33 AND BLOCK 34
REGISTERED PLAN 62M-778
IN THE GEOGRAPHIC
TOWNSHIP OF GLANFORD
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCALE 1:500
MACKAY, MACKAY & PETERS LIMITED
1998
Surveyor's Certificate
Owner's Certificate
SEPTEMBER 11, 1998
DATE
ONTARIO LAND SURVEYOR
DATED AT HAMILTON, ONTARIO
THIS 11th DAY OF SEPTEMBER 1998
MACKAY MACKAY & PETERS
Legend
RITUAL ROAD EAST (REGIONAL ROAD No. 33)
SEDONA COURT
UPPER WELLINGTON STREET
SEDONA, COURT


PART 1
PART 2
PART 3
PART 4
PART 5
PART 6
PART 7
PART 8
PART 9
PART 10
PART 11
PART 12
PART 13
PART 14
PART 15
PART 16
PART 17
PART 18
PART 19
PART 20
SEDONA COURT
RYMAL ROAD EAST (REGIONAL ROAD No. 153)
UPPER WELLINGTON STREET

SCHEDULE "A"

Payment Schedule for 1997 Barton Street Murals

Below is a schedule of payment to Fiona Kinsella, Robin Kavanagh, and Tor Lukasik-Foss for the design, production and installation of two to three murals, to be erected on Barton Street before September 1, 1997.

DESIGN 1997 April 15 (to be issued via 3 cheques of $1000, payable to each of the aforementioned artists)	$3,000
RENDERING 1997 June 15 (to be issued via 3 cheques of $2000, payable to each of the aforementioned artists)	$6,000
INSTALLATION 1997 August 15 or completion date of the project (to be issued via 3 cheques of $2,000, payable to each of the aforementioned artists)	$6,000
MATERIALS 1997 March 1 - September 1 (this money will be assessed throughout the project, and will be given out in the form of purchase orders as requisitioned through the Barton General Business Improvement Area Association)	$5,000
TOTAL	$20,000

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1997 and respectfully recommends:

1. (a) That the City resolve Ontario Court (General Division) Action # 2147/93 by the payment to the Plaintiff, Agnes Pavic, of the sum of $6,440.43 inclusive of all claims for damages, interest and costs; and,

   (b) That the Plaintiff, Agnes Pavic, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

   (c) That Ontario Court (General Division) Action # 2147/93 be dismissed without costs.

2. That the City accept the defendant's offer of $500 to settle the business tax claim against Dean Maddeaux t/a Steam Doggies.

3. (a) That the City consent to the assignment of the gas purchase contracted between Westcoast Gas Services Inc. and the City to Engage Energy Canada, L. P.; and,

   (b) That the Mayor and the City Clerk be authorized to execute the Assignment document.

4. That the listing of Appointments to and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1997 March 21, attached herewith and marked Appendix "A", be approved.

5. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

21 Head Street	625 Greenhill Avenue
221 Barton Street	14 Walnut Street North
540 Upper James Street	19 Rawlings Avenue
726 Main Street East	667 King Street East
73 Garfield Avenue South	1063 Barton Street East
647 King Street East	1632 Upper James Street
468 Cumberland Avenue	618 Parkdale Avenue North
321 King Street East	1837 Main Street West
320 King Street East	315 King Street East
216 Dundurn Street South	

(b) That a by-law to authorize the said Extension Agreements be enacted by Council; and,

(c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

6. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $23,001.42 be approved and charged to Account No. CH55307-24104 Tax Remissions.

7. (a) That the City Treasurer be authorized to provide 1997 Current Budget appropriation under a separate Centre as Municipal Trunked Radio Project (Financial Section) in the total amount of $340,420 for the following departments by correspondingly reducing the provision for debt charges in 1997:

Fire Department	$260,400
Public Works and Traffic Department - Traffic	18,980
Public Works and Traffic Department - Streets	58,630
Clerk's	2,410
	$340,420

(b) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board to reallocate the excess debenture proceeds of $2,000,000 from Public Safety Trunking Radio, Account Centre No. CF 489151023 (O.M.B. No. E910209 dated June 21, 1991 and City By-Law No. 91-105 for $2,500,000), to 1995 Roads and Sidewalk Reconstruction Program - Local Roads - Phase I, Account Centre No. CF 529542001 (City By-Law Nos. 95-090 and 95-216); and,

(c) That the balance of the debenture authority in the amount of $500,000 be cancelled and that the actual expenditures of $130,230 and $130,000 for the July to December 1996 Lease and Administration and Operations costs of the Municipal Trunked Radio Project to an estimated total of $260,230, Account Centre No. CF 489151023 for the above account be financed by the Reserve for Debt Charges Account Centre No. CH 00108; and,

(d) That the City Treasurer be authorized to continue to pay to the Regional Municipality of Hamilton-Wentworth in relation to a sale/lease back agreement on behalf of the City of Hamilton for the annual lease cost of Municipal Trunked Radio Project; and,

(e) That the provision for the additional cost of the Municipal Public Safety Trunking Radio System in 1999 for $420,000 (Project No. 55.0) be deleted from the plan of 1997-2006 Capital Budget Programme; and,

(f) That the appropriate Department/Division be directed to absorb from their overall budget the shortfall of the annual lease cost of their administration and operations budget, noted below, in relation to their Radio Trunking System:

Fire	$33,672.24
Traffic	3,880.35
Public Works	2,148.25
Clerk's	1,055.29
	$40,756.13

(g) That staff be authorized to participate in the Municipal Trunked Radio Project Steering Committee (a joint Committee of four, Regional Users, City of Hamilton Users, Other Area Municipality Users and the Regional Chief Administrative Officer's office).

8. That the City accept with thanks the donation from Hamilton Sesquicentennial Celebrations Inc. of an engraved stone tablet and plaque commemorating the City's year long sesquicentennial celebration which took place during 1996 and that the donation be displayed on an inside marble pillar on the first floor east side of City Hall at the pleasure of Council in accordance with the City's "Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall".

9. (a) That approval be given to issue a purchase order in the amount of $159,344 inclusive of GST ($9,699.20) to Trane Canada Company for the supply, delivery and commissioning of a 500 ton, non-CFC centrifugal chiller for Hamilton City Hall, this being the lowest acceptable tender received in accordance with the specifications (Ref: C15-3-97) issued by the Purchasing Division; and,

(b) That the Mayor and City Clerk be authorized and directed to execute a contract in a form satisfactory to the City Solicitor; and,

(c) That this project be funded through the Canada/Ontario Infrastructure Works Program, Account CF 809453012 City Hall - Replacement of Existing Chillers.

10. (a) That a purchase order be issued to Eastgate Ford Sales, Hamilton, Ontario, in an amount not to exceed $83,256.55 including all applicable taxes, for the supply and delivery of three (3) 4 Cylinder, 4 Door Sedans, Ford Escorts, and one (1) full size Cargo Van Style Body Truck, Ford Econoline, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications; and,

(b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle/Apparatus Replacement.

11. (a) That a purchase order be issued to Hamilton Motor Products, Hamilton, Ontario, in an amount not to exceed $108,969.87 including all applicable taxes, for the supply and delivery of three (3) Commercial type dual purpose vehicles, G.M.C. Suburbans, in accordance with the specifications issued by the Purchasing Division and the vendor's tender. This bid is the low net bid to meet the specifications; and,

(b) That this expenditure be financed through Capital Account CF 5531 489751021 - Fire Vehicle/Apparatus Replacement.

12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-14 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(b) D-15 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1997 April 1

Appendix "A" referred to in Section 4 of the SEVENTH Report of the Finance and Administration Committee for 1997

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Arthur Thomas	I	Lieutenant	Fire	Replacing Mr. A. Tapp – transferred, Aug. 14/95	$57,934.32	Dec. 01/96

Prepared March 21, 1997

Status –

Internal – I External – E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Josie D'Allessandro	Administrative Assistant II	Public Works & Traffic Services	Terminated	13 years, 4 months	Feb. 21/97
Ms. Linda Persichini	Box Office Supervisor	H.E.C.F.I.	Deceased	8 years, 4 months	Feb. 14/97

Prepared March 21, 1997

Glossary of Terms

Terminated – long term disability – discharge – downsizing – redundant	Resigned – personal betterment – personal reasons

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 APRIL 8
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

B I L L S

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. No. 87-308
As Amended by By-laws No. 92-079 and 97-012

Respecting:

MEMBERS OF THE BOARD OF MANAGEMENT OF THE BARTON GENERAL BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 97-012, passed on the 28th day of January 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-012;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 5 of the 5th Report of the Planning and Development Committee on the 25th day of March 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

K. Cody	Codys Home Decor Inc.
M. Tollis	The Riviera Banquet Centre
J. Hilger	Ways to Wisdom
K. Jokic	Bank of Montreal
D. Tranor	Dell Pharmacy
N. LaSala	Nick's Auto Service

3. By-law No. 97-012 is hereby repealed in its entirety.

4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 5 R.P.D.C. 5, March 25

Bill No. C-19

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Adopt:

Official Plan Amendment No. 137

Respecting:

LANDS LOCATED NORTH OF BURLINGTON STREET EAST AND SOUTH OF THE HAMILTON HARBOUR WITHIN INDUSTRIAL SECTOR NEIGHBOURHOODS "K", "L", "M" AND "N"

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 137 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 5 R.P.D.C. 1, March 25
City Initiative
Bayfront Industrial Area

Amendment No. 137

to the

City of Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 137.

Purpose:

The purpose of this Amendment is to redesignate several parcels of land from "Open Water" to "Industrial" to recognize the prevailing zoning districts for these areas.

Location:

The lands affected by this Amendment are located within Industrial Sector Neighbourhoods "K", "L", "M" and "N".

Basis:

The basis for redesignating the subject lands from "Open Water" to "Industrial" is as follows:

1) The applicable zoning district - "K" (Heavy Industrial) - was previously established by By-law 83-240 on July 27, 1983; and,

2) The subject lands were physically created or have the potential to be physically created through the infilling of water areas.

Actual Changes:

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating several parcels of land within the Industrial Sector Neighbourhoods "K", "L", "M" and "N" from "Open Water" to "Industrial", as shown on the attached Schedule "A" of this Amendment.

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

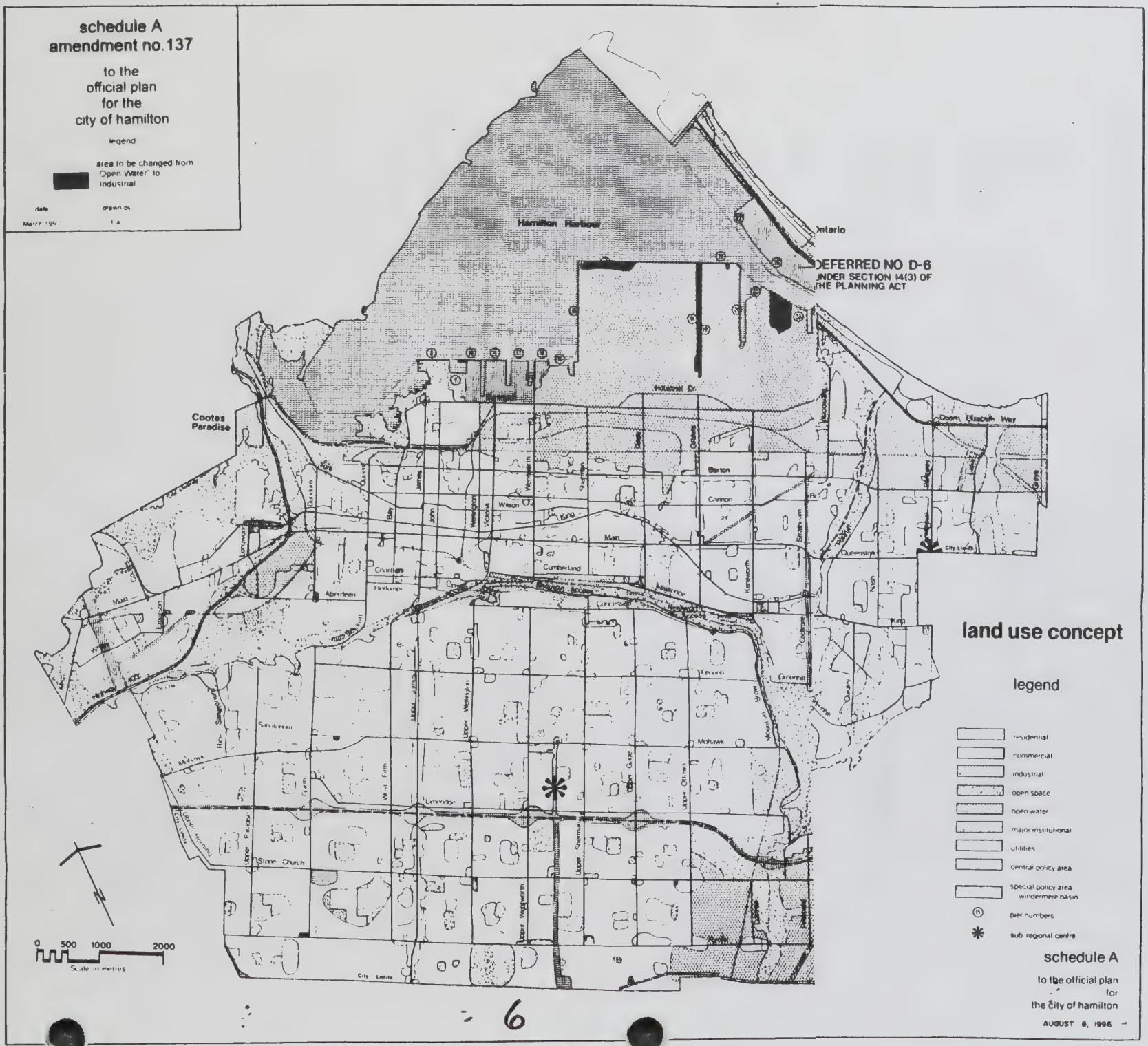
This is Schedule "1" to By-law No. 97- , passed on the day of , 1997.

The Corporation of the

City of Hamilton

City Clerk

Mayor


schedule A
amendment no. 137
to the
official plan
for the
city of hamilton
legend
area to be changed from Open Water to Industrial
date
March 1996
drawn by
E.A.
Hamilton Harbour
Ontario
DEFERRED NO D-6
UNDER SECTION 14(3) OF
THE PLANNING ACT
Cootes Paradise
Queen Elizabeth Way
Burlington
Barton
Cannon
King
Main
Cumberland
Aberdeen
Charlton
Hunter
Queenston
Fennell
Mohawk
Stone Church
Upper James
Upper Wellington
Upper Ottawa
Upper Sherman
Upper Wentworth
Upper Gage
Upper Paradise
Upper Kenilworth
Scenic
Mountain Brow
0 500 1000 2000
Scale in metres
land use concept
legend
residential
commercial
industrial
open space
open water
major institutional
utilities
central policy area
special policy area
windermere basin
pier numbers
sub regional centre
schedule A
to the official plan
for
the city of hamilton
AUGUST 8, 1996

6

Bill No. C-20

The Corporation of the City of Hamilton

BY-LAW NO. 97 -

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 96-170

Respecting:

LANDS LOCATED WEST OF WEST FIFTH STREET, SOUTH OF THE PROPOSED MOUNTAIN FREEWAY AND NORTH OF CHESTER STREET

WHEREAS By-law No. 96-170, passed by the Council of The Corporation of the City of Hamilton on the 8th day of October, 1996, rezoned the above-mentioned lands from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS Section 2 of By-law No. 96-170 provides for that upon the applicant applying for and receiving approval by the Region of Hamilton-Wentworth of a Plan of Subdivision, the 'H' symbol shall be removed by amendment to By-law No. 96-170;

AND WHEREAS the Plan of Subdivision "Orchards North Addition" was draft approved by the Region of Hamilton-Wentworth on January 14, 1997;

AND WHEREAS the Corporation of the Corporation of the City of Hamilton, in adopting Section 2 of the Fourth Report of the Planning and Development Committee at its meeting of March 11, 1997, directed that By-law 96-170 be amended to remove the 'H' (Holding) symbol in respect of the above lands;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 96-170, passed on the 8th day of October 1996, to the "C" (Urban Protected Residential, etc.) District designation of Block 1, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", is hereby removed and the development of the land may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593.

2. Sheet No. W-9B of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by By-law No. 96-170, is further amended by changing from "C"-'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593.

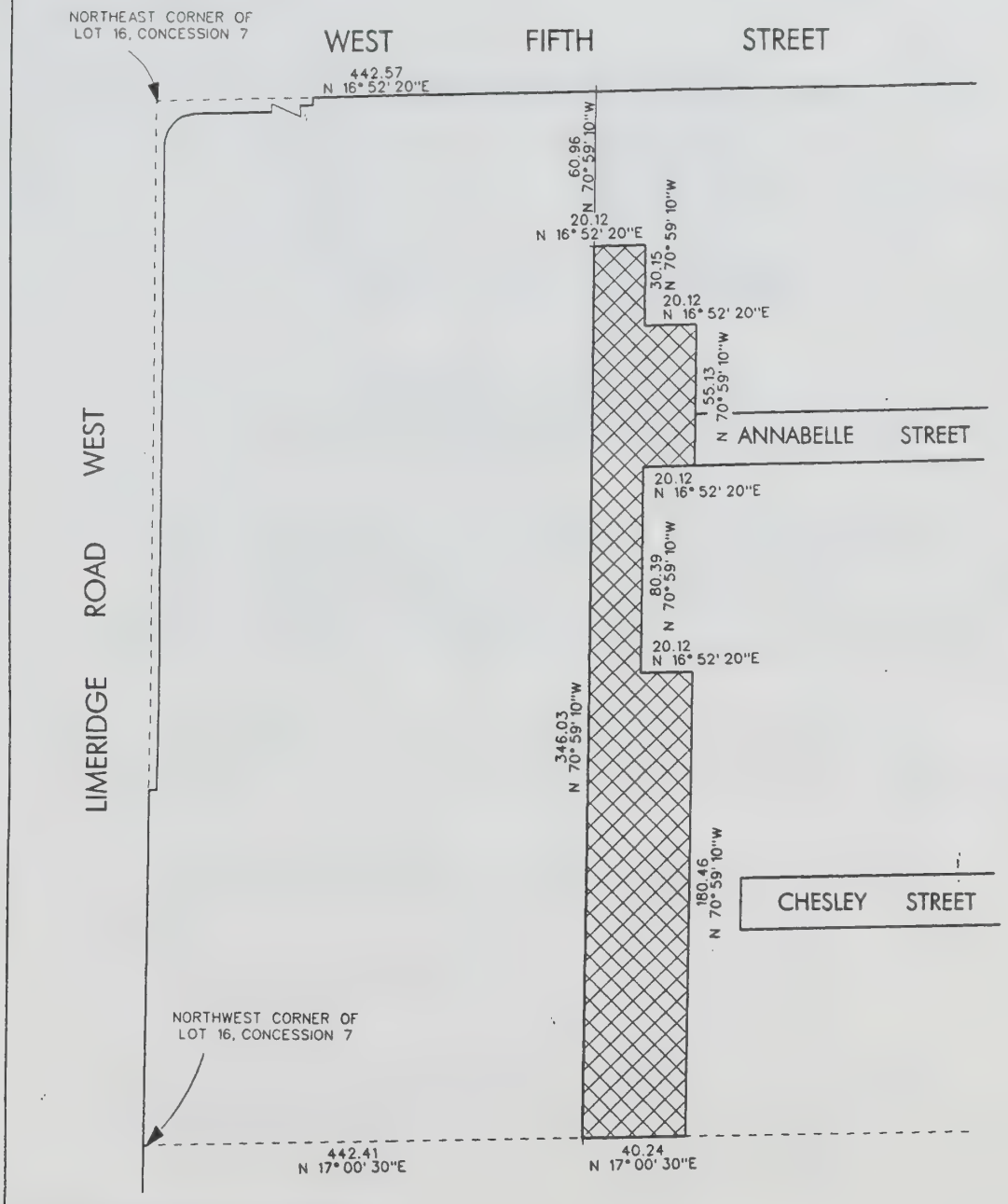
4. By-law No. 6593, as amended by By-law 96-170, is further amended by adding this by-law to section 19B as Schedule S-1367a.

5. Sheet No. W-9B of the District Maps, as amended by By-law No. 96-170, is further amended by marking the lands referred to in section 2 of this by-law, S-1367a.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 4 R.P.D.C. 2, March 5
Mike & Gus Holdings Ltd., Owner
ZAC-97-03



NOTE: All dimensions are in metres

This is Schedule "A" to By–Law No. 97–.....
Passed the ..... day of ....., 1997.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By–Law No. 97–.....
to Amend By–Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

"C"–'H' (Urban Protected Residential, etc. – Holding) District to "C" (Urban Protected Residential, etc.) District.

North	Scale	Reference File No.
	Not to Scale	ZA–97–03
	Date	Drawn By
	March 1997	J.M.

The Corporation of the City of Hamilton

BY-LAW NO. 97—

To Remove
Land within the "Allison Estates - Phase 1, Stage 2" Subdivision, Plan 62M-795
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

   Lots 1 to 19 inclusive within Registered Plan Number 62M-795, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton–Wentworth.

   (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

   (c) This By-law shall expire on May 1, 1998.

PASSED this day of A.D. 1997.

City Clerk Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.97-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

   (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this **day of** **1997, A.D.,**

CITY CLERK MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	21 HEAD STREET	
	SERIAL NUMBER	01 01035 0370	
	BRIEF LEGAL DESCRIPTION	SURVEY A N MCNAB PT LOT 18	
	DATE OF REGISTRATION	13 AUGUST 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM232891	
	REDEMPTION DATE	13 AUGUST 1997	
	TOTAL ARREARS		$11,040.55
B)	PROPERTY ADDRESS	625 GREENHILL AVENUE	
	SERIAL NUMBER	05 05360 3200	
	BRIEF LEGAL DESCRIPTION	PLAN M3 PT LOT 71 W HR89	
	DATE OF REGISTRATION	30 APRIL 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT404475	
	REDEMPTION DATE	30 APRIL 1997	
	TOTAL ARREARS		$638,202.92
C)	PROPERTY ADDRESS	221 BARTON STREET EAST	
	SERIAL NUMBER	02 01820 7980	
	BRIEF LEGAL DESCRIPTION	PLAN 298 LOT 153 TO 154	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229926	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		$41,924.38
D)	PROPERTY ADDRESS	14 WALNUT STREET NORTH	
	SERIAL NUMBER	02 01535 2120	
	BRIEF LEGAL DESCRIPTION	PLAN 52 PT LOT 17,18,19,10	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229925	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		$41,619.09
E)	PROPERTY ADDRESS	540 UPPER JAMES	
	SERIAL NUMBER	08 09120 0370	
	BRIEF LEGAL DESCRIPTION	PLAN 279 PT LOT 10	
	DATE OF REGISTRATION	03 JUNE 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT408282	
	REDEMPTION DATE	03 JUNE 1997	
	TOTAL ARREARS		$34,036.72
F)	PROPERTY ADDRESS	19 RAWLINGS AVENUE	
	SERIAL NUMBER	07 06810 9447	
	BRIEF LEGAL DESCRIPTION	RP 62M442 LOT 163	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT4O6958	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		$26,109.41
G)	PROPERTY ADDRESS	726 MAIN STREET EAST	
	SERIAL NUMBER	03 02450 6660	
	BRIEF LEGAL DESCRIPTION	REG COMP PLAN 1487 LOT 17	
	DATE OF REGISTRATION	24 MAY 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM229430	
	REDEMPTION DATE	24 MAY 1997	
	TOTAL ARREARS		$27,698.92

H)	PROPERTY ADDRESS	667 KING STREET EAST
	SERIAL NUMBER	03 02120 0010
	BRIEF LEGAL DESCRIPTION	PLAN 43 LOT 1
	DATE OF REGISTRATION	24 MAY 1996
	INST # OF TAX ARREARS CERTIFICATE	VM229432
	REDEMPTION DATE	24 MAY 197
	TOTAL ARREARS	$9,687.72
I)	PROPERTY ADDRESS	73 GARFIELD AVENUE SOUTH
	SERIAL NUMBER	03 02615 2290
	BRIEF LEGAL DESCRIPTION	PLAN 302 LOT 35 TO 36 PT LOT 37
	DATE OF REGISTRATION	24 MAY 1996
	INST # OF TAX ARREARS CERTIFICATE	VM229434
	REDEMPTION DATE	24 MAY 1997
	TOTAL ARREARS	$79,315.33
J)	PROPERTY ADDRESS	1063 BARTON STREET EAST
	SERIAL NUMBER	04 02860 1620
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 5 ETC RP 562 LOTS 37,38
	DATE OF REGISTRATION	19 JUNE 1996
	INST # OF TAX ARREARS CERTIFICATE	VM230590
	REDEMPTION DATE	19 JUNE 1997
	TOTAL ARREARS	$201,739.64
K)	PROPERTY ADDRESS	647 KING STREET EAST
	SERIAL NUMBER	03 02120 0100
	BRIEF LEGAL DESCRIPTION	PLAN 32 PT LOT 3 PT LOT 4
	DATE OF REGISTRATION	19 JUNE 1996
	INST # OF TAX ARREARS CERTIFICATE	VM230587
	REDEMPTION DATE	19 JUNE 1997
	TOTAL ARREARS	$45,109.38
L)	PROPERTY ADDRESS	1632 UPPER JAMES STREET
	SERIAL NUMBER	08 11010 0040
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 5 GL HAM
	DATE OF REGISTRATION	19 JUNE 1996
	INST # OF TAX ARREARS CERTIFICATE	VM409707
	REDEMPTION DATE	19 JUNE 1997
	TOTAL ARREARS	$76,858.08
M)	PROPERTY ADDRESS	468 CUMBERLAND AVENUE
	SERIAL NUMBER	03 02510 1450
	BRIEF LEGAL DESCRIPTION	CON 3 PT LOT 7 BTN HAM
	DATE OF REGISTRATION	09 JULY 1996
	INST # OF TAX ARREARS CERTIFICATE	LT412207
	REDEMPTION DATE	09 JULY 1997
	TOTAL ARREARS	$49,080.29
N)	PROPERTY ADDRESS	618 PARKDALE AVENUE NORTH
	SERIAL NUMBER	05 04010 0280
	BRIEF LEGAL DESCRIPTION	CON BF PT LOT 32 SLT HAM
	DATE OF REGISTRATION	09 JULY 1996
	INST # OF TAX ARREARS CERTIFICATE	LT412206
	REDEMPTION DATE	09 JULY 1997
	TOTAL ARREARS	$46,711.55
O)	PROPERTY ADDRESS	321 KING STREET EAST
	SERIAL NUMBER	02 01810 3670
	BRIEF LEGAL DESCRIPTION	PLAN 214 PT LOT 2 PT LOT 3 PT LOT 4
	DATE OF REGISTRATION	13 AUGUST 1996
	INST # OF TAX ARREARS CERTIFICATE	VM232888
	REDEMPTION DATE	13 AUGUST 1997
	TOTAL ARREARS	$49,651.60

SCHEDULE "A"
EXTENSION AGREEMENTS – PAGE 3

P)	PROPERTY ADDRESS	1837 MAIN STREET WEST	
	SERIAL NUMBER	01 00110 8020	
	BRIEF LEGAL DESCRIPTION	PLAN 917 LOTS 8, 9, 10	
	DATE OF REGISTRATION	23 OCTOBER 1996	
	INST # OF TAX ARREARS CERTIFICATE	LT424108	
	REDEMPTION DATE	23 OCTOBER 1997	
	TOTAL ARREARS		$73,386.22
Q)	PROPERTY ADDRESS	320 KING ST EAST	
	SERIAL NUMBER	02 01810 3460	
	BRIEF LEGAL DESCRIPTION	PLAN 357 PT LOT 3	
	DATE OF REGISTRATION	09 JANUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	VM327105	
	REDEMPTION DATE	09 JANUARY 1998	
	TOTAL ARREARS		$46,307.01
R)	PROPERTY ADDRESS	315 KING STREET EAST	
	SERIAL NUMBER	02 01810 3700	
	BRIEF LEGAL DESCRIPTION	PLAN 214 PT LOT 1 PT LOT 2 PT LOT 3	
	DATE OF REGISTRATION	15 JANUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	VM237264	
	REDEMPTION DATE	15 JANUARY 1998	
	TOTAL ARREARS		$49,915.84
(S)	PROPERTY ADDRESS	216 DUNDURN STREET SOUTH	
	SERIAL NUMBER	01 00915 2230	
	BRIEF LEGAL DESCRIPTION	PLAN 1434 PT LOT 10	
	DATE OF REGISTRATION	14 FEBBRUARY 1997	
	INST # OF TAX ARREARS CERTIFICATE	LT438222	
	REDEMPTION DATE	14 FEBRUARY 1998	
	TOTAL ARREARS		$59,915.90

BY-LAW NO. 97 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF APRIL, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 8th day of April 1997

CITY CLERK MAYOR

URBAN\MUNICIPAL
CA4 ON HBL A05
A31
1997

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

URBAN MUNICIPAL

Tuesday, 1997 April 29
7:30 o'clock p.m.
Council Chambers, City Hall

APR 29 1997

GOVERNMENT DOCUMENTS

J. J. Schatz
City Clerk

AGENDA

1. National Anthem.

2. Opening Prayer — Rev. Kristine Swire, Priest, St. Paul's Anglican Church

3. (a) Mayor to recognize Bethany Petkoff, Grade 8 student at Our Lady of Lourdes School re N.H.L. in Hamilton-The Illusive Dream

   (b) Mayor to recognize McMaster Marauders Basketball Team for their accomplishment

4. Presentations

   (a) Certificate of Recognition — Bernice Price

   (b) Greater Hamilton Downtown Community Development Corp. Founding Board — Ed Fothergill, Robert Lyons, Gil Simmons, Wolfgang Schoen, Gord Thompson, Marvin Caplan, Helen Kirkpatrick, Al Peckham, Bill O'Brien, Brian Robertson, Mary Pocius, Carol Jamieson

5. Adoption of the minutes of the special meeting held 1997 April 7 and the regular meeting held 1997 April 8

6. Correspondence

7. Reports of the Standing Committees:

(a) Transport and Environment Committee
(b) Parks and Recreation Committee
(c) Planning and Development Committee
(d) Finance and Administration Committee
(e) Committee of the Whole (Report to follow)
(f) City of Hamilton Licensing Report

8. Notices of Motion for next meeting.

9. Question Period.

10. Adjournment.

MINUTES

Minutes of Committee of the Whole\Hamilton City Council
Monday, 1997 April 7
5:00 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman D. Drury - civic business

Mayor Morrow called the meeting to order.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - SIXTH REPORT

Local Government Restructuring

Recorded vote on Resolution.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

****

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 6:30 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 7
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTH** Report for 1997 and respectfully recommends:

1. That the Minister of Municipal Affairs be advised that Hamilton City Council reconfirms its position on Local Government Restructuring as adopted on June 6, 1996, amended and reconfirmed on October 8, 1996 and further amended on April 7, 1997 to read as follows:

    (a) amalgamated tax base
    (b) representation by population - approximately 20,000 people per ward
    (c) amalgamation of all area municipalities into the City of Hamilton
    (d) eliminate the Region and devolve all staff and services into the City of Hamilton
    (e) final implementation as soon as possible

    While other positions have been taken by Hamilton City Council in a spirit of compromise, the above has always represented the preferred position of the City of Hamilton with respect to Local Government Restructuring in the Hamilton-Wentworth Region.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law:

    E-05 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 April 7

Minutes of Hamilton City Council
Tuesday, 1997 April 8
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman D. Drury - civic business

Mayor Morrow called the meeting to order.

* *

The National Anthem was played.

* *

Reverend Dr. Francis Chisholm, Retired, led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held 1997 March 25 (regular meeting) and the special meeting held 1997 April 3 were adopted as circulated.

* *

PRESENTATION

Mayor R. M. Morrow recognized Mr. Scott Howson, General Manager of the Hamilton Bulldogs Hockey Club.

CORRESPONDENCE

1. Letter dated 1997 April 2 from Valerie Smith, P.O. Box 24040, Bullfrog Mall Postal Station, Guelph, Ontario Re: Rock Group "Marilyn Manson" appearing at Copps Coliseum.

   Referred to H.E.C.F.I.

2. Letter dated 1997 April 4 from R. Scott Smith, Secretary to the Board of Commissioners, Hamilton Harbour Commissioners re: Appointment of Mr. D. Beattie.

   Referred to the Finance and Administration Committee

3. Letter dated 1997 April 8 from Konstantine Takis, 158-180 King Street West, Hamilton, Ontario Re: Casino Gaming By-law.

   Received.

4. Letter dated 1997 April 4 from ASAP Holdings Ltd., Hamilton On., respecting the Casino Zoning.

   Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee and the Finance and Administration Committee, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 1 (a) Re: City Initiative 96-G - Charity Gaming Club - Appendix "A"

It was moved by Alderman McCulloch and seconded by Alderman Ross that Section 1 (a) of the Sixth Report of the Planning and Development Committee be amended be expanding the boundaries in Appendix "A" to include the block bounded by King Street West, Caroline Street North, Market Street and Bay Street North. **CARRIED.**

* * * * * * * * * * *

Section 1 Re: City Initiative 96-G - Charity Gaming Club

It was moved by Alderman D'Amico and seconded by Alderman Merling that Section 1 of the Sixth Report of the Planning and Development Committee for 1997 be amended by:

(a) Adding the sentence "Furthermore, a video lottery terminal shall only be permitted in conjunction with a Charity Gaming Club." at the end of Sub-section (a) (ii) (1) (b); and,

(b) Deleting sub-clause (b) in sub-sections (a) (iii), (a) (iv), (a) (v) and (a) (vi) and substituting the following in lieu thereof: "(b) no institutional or residential uses, except a hotel, are permitted within the same building unless functionally completely separate from the Charity Gaming Club". **CARRIED.**

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Morelli, Collins, Charters, Jackson, Merling, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Eisenberger, Anderson.-5. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTH REPORT

Section 4 Re: Appointments to and Terminations from Permanent Positions

It was moved by Alderman D'Amico and seconded by Alderman Copps that Section 4 of the Seventh Report of the Finance and Administration Committee be referred back.

CARRIED.

RESOLUTION

Re: Rule No. 9 Road Closure of Rosslyn Avenue South

It was moved by Alderman Merling seconded by Alderman Morelli that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the proposed road closure of Rosslyn Avenue South from King Street East to Main Street East. **CARRIED.**

* * * * * * * * * * *

Resolution respecting Rosslyn Avenue South

It was moved by Alderman Merling and seconded by Alderman Morelli

That the stopping-up, closing and sale of Rosslyn Avenue South from King Street East to Main Street East be approved, subject to the following conditions:

(a) That the Commissioner of Transportation Department be directed to prepare a By-law to stop up, close and sell the road allowance of Rosslyn Avenue South from King Street East to Main Street East; and,

(b) That the Commissioner of Transportation Department be directed to prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed road allowance is to be sold; and,

(c) That the Senior Director, Roads Department be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act R.S.O.; and,

(d) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980; and,

(e) That the applicant provide a 6m easement to the Region for the existing 300mm combined sewer in the proposed closure area; and,

(f) That the applicant provide an easement to Hamilton Hydro for their overhead plant on the closure area.

****

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Planning and Development Committee, the Finance and Administration Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 8:40 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 8
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter dated 1997 April 8 from Michael G. McKenna, Surveyor, Ontario Region, Fire Underwriters Survey re: Survey of Fire Defences of the City of Hamilton. (previously distributed)

   Recommendation: **Be Referred to the Finance and Administration Committee.**

2. Letter dated 1997 April 24 from J. J. Schatz, City Clerk advising of objections to By-law No. 97-049 respecting Rendering Plants.

   Recommendation: **Be Received.**

3. Application dated 1997 April 11 from Nick Uhac, Homes by Oakbrook for a change in zoning from "E" (Multiple Dwellings, Lodges Clubs, etc.) District to "RT-30" (Street Townhouse) District modified for 33 East 35th Street, Hamilton, Ontario.

   Recommendation: **Be Received.**

4. Application dated 1997 April 17 from several owners (9), for a change in zoning from "C" (Urban Protected Residential) District to "R-4" (Small Lot Single Family Dwelling) District for Block "1", from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District for Block "2" and from "AA" (Agricultural) District to "C" (Urban Protected Residential) District for Block "3" for property at 117, 123, 131, 139 and 151 Stone Church Road East, Hamilton, Ontario.

   Recommendation: **Be Received.**

5. Application dated 1997 April 16 from the Canadian National Railway Company, Toronto, Ontario for a change in zoning from "K" (Heavy Industry) District to "L-mr-1" (Planned Development - Multiple Residential) District for property on the north side of Barton Street West, East of Crooks Street, Hamilton, Ontario.

   Recommendation: **Be Received.**

6. Application dated 1997 April 21 from D. & G. Ciaramella, 50 Victor Blvd., Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 661 Upper Wellington Street, Hamilton, Ontario.

   Recommendation: **Be Received.**

FIRE UNDERWRITERS SURVEY
A SERVICE TO INSURERS AND MUNICIPALITIES

c/o Insurers' Advisory Organization (1989) Inc., 18 King Street East, Suite 700, Toronto, Ont. M5C 1C4
Tel: (416) 601-1801 • Fax: (416) 368-7703

April 8, 1997

OFFICE OF THE CITY CLERK
APR 17 1997
REC. BY ..... DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....
REF'D. TO ..... DATE .....
ACT ON .....

Mr. J. Schatz,
City of Hamilton,
71 Main Street West,
Hamilton, Ontario.
L8N 3T4.

Dear Sir:

In 1996, a survey of the fire defences of the City of Hamilton was conducted by Fire Underwriters Survey for fire insurance classification purposes. Our analysis of this survey has been completed and the following comments are offered for the consideration of the City's Administration.

The City of Hamilton is a very good Class 2 (in the Insurance Bureau of Canada's 10 Class Commercial Grading System) and is in fact very close to becoming Canada's second Class 1.

Water Supply

The water supply facilities, although contracted out by the Region, appear to be well maintained.

The water distribution system, operated by the Regional Municipality, is generally well maintained. The new hydrant maintenance programme will greatly enhance the reliability of the hydrants and has lead to a virtually 0% failure rate in one Region Municipality where it has been adopted.

We would, however, recommend an increase in the valve inspection frequency to at least once every two years as presently non-operational valves on smaller mains could go unnoticed for four years. Secondly, valves located on hydrant laterals should be inspected and operated in conjunction with the hydrant inspection programme.

Fire Department

The Hamilton Fire Department has a long history of being a leader in the use of modern techniques and innovations and has a progressive management team. The department has undergone recently a serious decrease on personnel resulting in the fire department having to replace 2 pumpers (#7 and #11), 2 aerials (#9 and #11) and a car (#6) with a minimum normal staffing

totalling 18 with two pumper-ladder combination units (Quints) with a shorter aerial (23 m) ladders versus the 30 m ladders found on regular aerials (Quints) with a normal total staff of ten.

Even with these severe reductions the fire department has, thorough improved training, apparatus, maintenance programmes and new communication facilities maintained its Commercial Classification of 2.

However, we feel any further reductions will seriously affect the Department's ability to respond promptly and adequately to serious situations, especially in the lower area of the City (Wards 1 to 5), as well as leading in a reduction in the Commercial Classification.

Training - The Fire Department's training programme is very well planned and implemented with very good use being made of the facilities at the Simulated Fire and Rescue Complex. However, as self-contained breathing apparatus re qualification takes up valuable time at the complex, which could better used for multi-company training exercises, consideration should be given to the construction of a "Mask Maze" in an alternate location. In addition, the complex appears to require additional funding for maintenance purposes as during our visits the general condition of the property appears to have deteriorated.

Communications - The Department's new communication facilities at fire station No. 4 are a great improvement over those formerly located in the fire department headquarters building. However, there are many shifts when only one fully trained operator is available. The fire fighters who staff the communications centre on an as required basis are well trained but cannot have the training and experience of a full time operator. In addition, the use of fire fighters depletes the vehicle staffing. With the ever increasing complex dispatching facilities and alarm requirements (The centre handles over 13,400 City calls and over 4,100 calls for the other regional municipalities) there is a definite need for two fully trained operators to be on duty at all times. During the weekday day- time hours the increased workload of around 250 to 300 calls per day (alarm company tests, business calls, etc.). Immediate consideration should be given to increasing the division staffing to provide two trained operators on duty at all times and three during the day time, weekday shifts.

Additionally, consideration should be given to appointing a second in command of the Division to ensure training of full time and part time operators is carried out on a consistent basis, to directly supervise the alarm room and to replace the Communications Officer during the latter's absence on vacation etc.

Mechanical Division - This Division consistently provides the department with a first rate, cost effective maintenance programme for its apparatus and equipment. In addition, many of its innovative undertakings such as its woodworking shop and sewing shop (which sews and sizes the department's bunker gear) provide cost savings to the City.

Fire Prevention - The Fire Prevention Division, in conjunction with the in-service inspection programme, does a very good job of inspection and preventing fires in the City.

Together with the department's volunteer speakers (who undertake public education work) and the Departments Public Relation Officer the City's citizens are well provided with information and fire safety knowledge.

Fire Fighting Division - The vast majority of staff reductions have occurred in this division. Although fires make up a smaller percentage of the total number of calls the total calls have increased 59% in the ten years from 1986 to 1995 (with a population growth from 307,690 to 319,281). Any further reduction in this division could seriously affect the department's ability to respond promptly and adequately to emergency situations.

The loss of aerial No. 9 has left the northeast lower area of the City with inadequate ladder service. Although "Quint" No. 7 has been placed in service at fire station No. 7 its 23 metre aerial device lacks the reach of the 30 meter ladder on Aerial No. 9 it replaces. Consideration should be given to relocating Platform No. 6 (re-equipped with a modern 30 meter aerial ladder truck) to fire station No. 9. At this time Ladder (Quint) No. 7 should be relocated to fire station No. 3 to provide ladder service in the West Mountain area with Pumper No. 3 being relocated to fire station No. 7. Rescue No. 9 will have to be temporarily relocated to fire station No. 6 due to lack of space in hall No. 9.

Although well located fire station No. 9 is in poor condition and needs replacement. It is recommended that the vacant police building adjacent to it be demolished and a new fire hall be constructed on its site. When it is completed the present station should be demolished. In addition to providing the apparatus and crews with a modern facility the open area created will provide a training area presently lacking at this station. As soon as the new fire hall is finished Rescue Company No. 9 should be relocated to this station.

Fire station No. 8 is too small to house modern apparatus. Although ideally it should be relocated eastwards to the area of Barton Street East and Centennial Parkway. Financial constraints may make it more cost effective to renovate the present hall to allow accommodation of a modern vehicle. After renovations are completed Pumper No. 8 should be replaced by a triple combination pumper equipped with 15 metre light ladder (commonly known as a telesquirt), to provide elevated stream and light ladder service to this area of the City with its commercial properties and multi-family dwelling units.

Both fire stations Nos. 10 and 11 require renovation and modernization. Instead of renovating both these stations it may be more cost-effective to construct a combined station a short distance to the east of No. 10, to house both ladder (Quint) No. 10 and pumper No. 11. Alternatively, fire station No. 10 should be thoroughly renovated and modernized. At this time fire station No. 11 should be closed and Pumper No. 11 relocated to this station. In any case it is essential in

view of the life risk potential, that this area of the City (Ward 1) maintain two fire companies (one with an aerial device) to provide a timely and co-ordinated first response.

Due to the high number of calls, life risk and fire potential in the downtown core it is recommended that fire station No. 1 maintain its present four fire companies (two pumpers, an aerial and a rescue unit).

With the decreased number of firefighting companies available the Fire Department should consider equipping the recommended Aerial No. 9 and all future aerials with a pump of 5000 litre per minute capacity and water supply hose. This would allow the aerials to provide their own water supply for elevated stream service and thus avoid tying-up an additional pumper to supply the unit. Please note that these units are not "Quints" such as Nos. 7 and 11 equipped with smaller 23 metre aerial ladders and able to provide pumper service but rather full 30 metre aerials. In recognition of the ability to provide their own water supply pump equipped aerials such as that proposed for Aerial No. 9 are given credit as an aerial company plus 1/2 a pumper company in our grading of fire department.

Due to the personnel cutbacks there are times when there are insufficient staff available for all apparatus resulting in a vehicle (usually an aerial truck) being temporarily placed out of service. Although the City is increasingly having to review its funding and look for money saving opportunities we strongly feel that in view of the cutback (loss of 3 vehicles) already undertaken the City cannot afford to have vehicles temporarily out of service due to staffing shortages as it could easily result in a delayed response of essential apparatus. Additional staff should be provided to ensure that all apparatus is kept in service at all times. If required the department should consider reducing the staffing of Quints Nos. 7 and 11 to four when necessary. Another alternative may be to pay overtime to keep minimum staffing on duty.

We are prepared to assist the City at any time in matters relating to public fire protection and prevention.

May we express our appreciation for the willing and courteous assistance given to us by the various department officials and staff during this survey.

Yours truly,

Michael G. McKenna,
Surveyor,
Ontario Region.

cc: Fire Chief, Hamilton Fire Department.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. (a) That a "Permit Parking" regulation be implemented on the west side of Earl Street commencing at a point 218 feet south of Princess Street and extending to a point 22 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Doreen Walsh, No. 49 Earl Street.

2. (a) That a "Permit Parking" regulation be implemented on the east side of Cope Street commencing at a point 133 feet south of the northerly end of Cope Street and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Lillian Bendell, No. 404 Cope Street.

3. (a) That a "Permit Parking" regulation be implemented on the south side of Royal Avenue commencing at a point 231 feet west of Emerson Street and extending to a point 24 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Gary Wolfe, No. 79 Royal Avenue.

4. That the existing "No Stopping, 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Hunter Street West between James Street South and MacNab Street South be removed, and that City Traffic By-law No. 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the west side of Sanford Avenue North commencing 147 feet north of Barton Street East and extending to the south curb line of Myler Street and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to initially issue three parking permits to No. 268 Sanford Avenue North, two parking permits to Nos. 270, 274, 276 Sanford Avenue North and one parking permit to No. 272 Sanford Avenue North and any additional permits (to a maximum of 11) on a first-come first-served basis.

6. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Strathcona Avenue North commencing at Tom Street and extending 134 feet northerly be replaced with a "Three Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation; and,

(b) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the north side of Tom Street commencing at Strathcona Avenue North and extending to a point 173 feet westerly therefrom be replaced with a "Three Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

7. (a) That the existing "No Parking" regulation on the east side of Balmoral Avenue North, commencing at Cannon Street East and extending to a point 148 feet northerly therefrom, be replaced with a "No Stopping" regulation; and,

(b) That two, one-hour parking meters be installed on the west side of Balmoral Avenue North, commencing at a point 57 feet north of Cannon Street East and extending to a point 36 feet northerly therefrom; and,

(c) That a "No Stopping" regulation be implemented on the west side of Balmoral Avenue North commencing at Cannon Street East and extending to a point 57 feet northerly therefrom; and,

(d) That the City Traffic By-law No. 89-72 be amended accordingly.

8. That the existing "Alternate Side Parking" regulation on Montmorency Drive between Redhill Avenue and the north property line of No. 147 Montmorency Drive be extended southerly to Mount Albion Road and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation, on the east side of Bond Street North commencing at King Street West and extending to a point 133 feet northerly therefrom, be replaced with a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation, and that the City Traffic By-law No. 89-72 be amended accordingly.

10. (a) That a "Permit Parking" regulation be implemented on the north side of Shaw Street commencing at a point 186 feet east of Victoria Avenue North and extending to a point 18 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

    (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Leslie Kentner, No. 17 Shaw Street.

11. That the existing "Alternate Side Parking" regulation on Rosslyn Avenue South between Lawrence Road and the south curb line of Justine Avenue be replaced with a "No Parking" regulation on the east side and unrestricted parking on the west side, and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Bowman Street between Main Street West and Westwood Avenue be replaced with a "No Parking" regulation and that the City Traffic By-law No. 89-72 be amended accordingly.

13. That a "No Stopping" regulation be implemented on the north side of St. Joseph's Drive commencing at a point 469 feet east of John Street South and extending to a point 58 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

14. That the existing 191 foot "No Parking" regulation on the west side of Kinrade Avenue, south of Barton Street East, be shortened such that the regulation commences at Barton Street East and extends to a point 142 feet southerly therefrom and that the existing 167 foot "No Parking" regulation on the east side of Kinrade Avenue, south of Barton Street East, be shortened such that the regulation commences at Barton Street East and extends to a point 132 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

15. That the existing "No Stopping, Wheelchair Loading Zone" regulation, in effect 24 hours a day, seven days a week, on the west side of Parkview Drive, commencing at a point 59 feet north of Franklin Avenue and extending to a point 19 feet northerly therefrom, be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

16. That a "Wheelchair Loading Zone, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on the east side of Prospect Street South commencing at a point 181 feet south of Main Street East and extending to a point 26 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

17. That the Commissioner of Public Works and Traffic be authorized to issue a time limit exemption permit to Mr. Pat Coulter, No. 807 - 44 Queen Street North.

18. That the application of Jim and Christina Vanderkooy, owners of the four-unit apartment at No. 70 Stanley Avenue, to execute a commercial boulevard parking agreement be approved, provided that:

    (a) the applicant discharges the existing residential boulevard parking agreement registered as Instrument No. 294395 C.D. at the property owner's expense; and

    (b) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 26 (current annual rate is $62.40 per space for the first two spaces and $33.21 per space for any additional spaces per year) plus taxes, if any, in addition to the $10 encroachment insurance charge approved by the City Council on 1984 February 14; and,

(c) the owner pays a one-time $50 registration fee, as approved by the City Council on 1986 January 14; and,

(d) the owner pays a one-time $219.56 processing fee (including G.S.T.), as approved by the City Council on 1988 January 12; and,

(e) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes; and,

(f) the driveway approach, parking area and other structures, as approved by the Commissioner of Pubic Works and Traffic, be constructed and maintained at the owner's expense; and,

(g) the owner executes an agreement satisfactory to the City Solicitor, to indemnity and save the City harmless from actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

19. That a "No Stopping" corner clearance regulation be implemented on the south side of Maplewood Avenue commencing at Blake Street and extending to a point 50 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

20. That all-way stop control be implemented at the intersection of Bonaparte Way and Fusilier Drive and that the City Traffic By-law No. 89-72 be amended accordingly.

21. That eastbound traffic on Alexander Street be required to stop for northbound and southbound traffic on Reginald Street and that the City Traffic By-law No. 89-72 be amended accordingly.

22. That northbound traffic on Fay Avenue be required to stop for eastbound and westbound traffic on Organ Crescent and that the City Traffic By-law No. 89-72 be amended accordingly.

23. (a) That the following sections of streets be deleted from the snow route system:

(i) Franklin Avenue between Longwood Road North and Uplands Avenue

(ii) Norwood Road between Longwood Road North and Uplands Avenue

(iii) Uplands Avenue between Franklin Avenue and Norwood Road; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

24. That, effective 1997 May 1, the staff compliment of the Parking Control Section of the Community Traffic Services Division be adjusted by deleting two Parking Control Officer positions (2.0 FTE's) and by replacing them with two Towing Officer positions (2.0 FTE's).

25. That the estimated expenditure level for the provision of concrete cutting saw/operator services by Bigelow Brothers Construction, being the lowest of four tenders received, be increased from $100,000 to $200,000.

26. (a) The following City land be incorporated into the following streets:

Adele Court	Block 35	Plan 62M-760
West Village Drive	Block 29	Plan 62M-793
Duncairn Crescent	Block FX and Part 1	Plans M-129 and 62R-12403; and,

(b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the City Solicitor and be enacted by Council; and,

(c) That the Commissioner of Transportation be authorized and directed to register the by-laws.

27. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"Wellington Chase - Phase 5", Hamilton

City's Share - NIL -, Owner's Share $72,593.23

"Westview Estates", Hamilton

City's Share - NIL -, Owner's Share $140,156.91; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of "Wellington Chase - Phase 5", Hamilton and "Westview Estates", Hamilton as well as any other related documents for these subdivisions subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

(d) In the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

28. (a) That the submitted schedules of works be approved for inclusion in the Subdivision Agreements with the Owners for the estimated costs of services in:

"Allison Estates - Phase 4", Hamilton

City's Share - $ 124,891.63, Owner's Share - $ 155,139.40

"Wisemount Estates - Phase 8", Hamilton

City's share $ 7,693.52, Owner's share $ 154,118.33; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Allison Estates - Phase 4", Hamilton and "Wisemount Estates - Phase 8", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,

(d) In the event that the Owners wishes to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

(e) That the City's share of servicing "Allison Estates - Phase 4" subdivision at an estimated cost of $124,891.63 and the City's share of servicing "Wisemount Estates - Phase 8", subdivision at an estimated cost of $7,693.52 be financed from the Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,

(f) That City Council be advised that "Allison Estates - Phase 4 and subsequent phases of "Allison Estates" will be constructed with no boulevard between the sidewalk and curb.

29. (a) That an Offer to Purchase (Highway Closure), duly executed by John W. Mudjar and Mary E. Mudjar on 1997 April 10 and scheduled to close on or before 1997 November 28, for the lands composed of Reserved for Street, Parcel "C", 0.305 Reserve, Registered Plan 851, having a frontage along the westerly limit of Owen Place of 20.116 metres (65.9 feet) more or less, by a depth of 33.245 metres (109.0 feet) more or less, shown as Parts 1, 2, 3, 4, 5 and 6 on Plan 62R-10952; Parts 3 and 6 are to an easement in favour of The Sisters of St. Joseph of Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $57,100 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases(Sales)); and,

(b) That the required deposit cheque in the amount of $5,710 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,

(ii) no appraisal of the fair market value of the real property intended to be sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

30. (a) That the one foot reserve on Bonaventure Drive described as Part 5 on Plan RB-H-567 Surveys be declared surplus to the requirements of the City of Hamilton in accordance with Realty Sales Procedural By-law 95-049; and,

(b) (i) That an Offer to Purchase, duly executed by Frank Mulas Construction Ltd. (Frank Mulas, President) on 1997 March 5 and scheduled to close on or before 1997 October 8, for the lands composed of part of Lot 19, Concession 6, in the geographic Township of Barton, now in The City of Hamilton, designated as Part 5 on Plan RB-H-567 Surveys, containing an area of 2.8 square metres (30.14 square feet) more or less, subject to a watermain easement in favour of the Regional Municipality of Hamilton-Wentworth over Part 5 on Plan RB-H-567 Surveys, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $3,500 be credited to Account No. CH4X501 00107 (Reserve for Unsubdivided Lands); and,

(ii) That the required deposit cheque in the amount of $350 be held by the City Treasurer pending Council approval; and,

(iii) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(1) The Vendor consents to the Purchaser, at their sole expense, including the subject property in an application for the rezoning of the abutting lands at 1126 Garth Street, Hamilton, from "A" (Agricultural) District to RT-20 (Townhouse -Maisonette) District and an amendment of the Gilbert Neighbourhood Plan for the City of Hamilton for the subject property from Low Density Apartments to "Attached Housing". The Vendor agrees to sign the requisite documents for such applications and to do all things reasonably necessary in support of them; and,

(2) Each of the following events taking place prior to the closing date:

(a) a City by-law being approved and passed to rezone the subject lands from "AA" (Agricultural) District to RT-20 (Townhouse-Maisonette) District in accordance with the requirements of the Planning Act, R.S.O., 1990; and,

(b) a period of at least thirty (30) days elapsing since the passage of the by-law within which time period no appeal has been launched at the OMB pursuant to the provisions of the Planning Act and the by-law and consent have therefore become final and binding; and,

(c) the City amending the Gilbert Neighbourhood Plan for the subject lands from "Low Density Apartment" to "Attached Housing"; and,

(3) If the required zoning or neighbourhood plan amendment set out in 2 (a), (b) and (c) above have not been completed by the date of closing set out in this Offer to Purchase, then this Offer shall be null and void and the deposit shall be returned by the Vendor to the Purchaser without interest and the Vendor shall not be liable for any damages or costs; and,

(4) As the above noted conditions are for the benefit of the Purchaser, the Purchaser may at any time prior to the closing date, at its option, by written notice to the City, waive the benefits of these conditions; and,

(5) It is also understood that:

The closing of this Offer to Purchase is subject to the Regional Municipality of Hamilton-Wentworth accepting and completing an Offer to Purchase executed by Frank Mulas Construction Ltd. for the purchase of the Regional lands being designated as Part 1 and 2 on Plan RB-H-567 Surveys. Said Part 2, Plan RB-H-567 Surveys is being sold subject to an easement to be granted in favour of the Regional Municipality of Hamilton-Wentworth. The Regional Offer to Purchase is to be accepted by Regional Council and both properties are to close on the same day; and,

In the event condition (5) is not met then this Offer to Purchase shall be null and void and the deposit cheque returned to the Purchaser without penalty or interest; and,

(iv) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(v) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(1) satisfactory Notice has been given to the public of the intended sale; and,

(2) no appraisal of fair market value of the real property being sold was obtained as 0.3 metre reserves are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(3) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

31. (a) That the City of Hamilton support the evaluation of all measures to support and enhance a pedestrian-friendly environment, including but not limited to reductions in travelled lanes, transit priority measures, modifications to traffic signal progression, reductions in traffic speeds, sidewalk widenings, and changes to parking restrictions; and,

(b) That the Region be advised of the City's wish to actively participate in the Region's Downtown Transportation Plan Study and further, that the Citizen's Two-Way Street Committee be included as a stakeholder group in the development of this Study.

32. (a) That a Transportation and Urban Design firm be retained, at an upset limit of $10,000, to review how the following two-way street proposals could be implemented:

(i) King Street, between Victoria and Queen

(ii) James Street, between the Escarpment and the Harbour

(iii) John Street, between the Escarpment and the Harbour; and,

(b) That the operational issues to be studied include:

(i) impact on hospitals

(ii) requirements of Police and Fire Departments

(iii) traffic flow at the micro level; and,

(c) That, assuming the foregoing studies show the proposal can be implemented, the study include an estimate of the costs of the required changes to traffic lights, traffic signs and other matters; and,

(d) That the draft study be made available to relevant City and Regional Staff for comment prior to submission to this Committee; and,

(e) That the completed report on this matter will be available by 1997 July 15.

33. (a) That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton does not object to Philip Environmental Inc. receiving a Provisional Certificate of Approval No. A650104 for a Waste Disposal Site (Processing) for the site located at No. 1579 Burlington Street East, Hamilton on the condition that all environmental, health and safety safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy, and that all applicable City By-laws are complied with fully; and,

(b) That a copy of this Report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,

(c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval for Philip Environmental Inc. to the City of Hamilton.

34. (a) That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton has no objection to Hamilton Bio Conversion Inc. receiving an amendment to their existing Provisional Certificate of Approval for a Waste Disposal Site (Processing) for the site located at No. 2380 Brampton Street, Hamilton on the condition that the Ministry of Environment and Energy revisit the Certificate of Approval in 1997 September, to ensure that the remedial action taken by the proponent to mitigate odours is effective during the summer months, and that all other environmental, health and safety safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy and that all applicable City By-laws are complied with fully; and,

(b) That a copy of this Report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,

(c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval amendment for Hamilton Bio Conversion Inc. to the City of Hamilton; and,

(d) That the Commissioner of Environmental Services be directed to report back to the Transport and Environment Committee in 1997 September on the effectiveness of the remedial action taken by the proponent to mitigate odours resulting from this operation.

35. (a) That a Purchase Order be issued to Premier Waste Systems Ltd., Hamilton in the amount of $128,000 per year, plus G.S.T., for a five year term, being the lowest of five proposals received for the Collection of Bulk Garbage in accordance with the specifications issued by the Purchasing Division, Treasury Department and the Vendor's proposal; and,

(b) That a contract be entered into satisfactory to the City Solicitor; and,

(c) That, subject to Sub-Section (b) above, the Contract start date be Monday, 1997 June 16; and,

(d) That this expenditure be financed through Garbage Collection Account No. CH56319 60301.

36. That a purchase order be issued in the amount of $114,571.55 plus applicable tax to Cox Construction, for concrete crushing at B.A. Court Yard and Brampton Street Yard being the lowest tender received in accordance with the Purchasing Division specifications and be financed from Stock Account No. CH56197 60999.

37. That a donation of 195 granite cobblestones previously removed from Ferguson Avenue and valued at $1,380 be granted to the Workers Arts and Heritage Centre.

38. (a) That stop controls be implemented, as a result of consultation with area residents and the Ward Aldermen, at the following intersections:

(i) Eastbound/Westbound on Limeridge Road East at Brewster Street

(ii) Westbound on Bacall Crescent (West) at Birchview Drive

(iii) Eastbound on Basin Crescent (East) at Birchview Drive

(iv) Eastbound on Basin Crescent (West) at Birchview Drive

(v) Northbound/Southbound on Birchview Drive at Bloor Street

(vi) Northbound/Southbound on Birchview Drive at Beryl Street

(vii) Eastbound/Westbound on Lockton Crescent at Lawson Street

(viii) Eastbound/Westbound on Limeridge Road East at Lockton Crescent

(ix) Eastbound/Westbound on Limeridge Road East at Lawnview Drive

(x) Eastbound/Westbound on Limeridge Road East at Manning Avenue

(xi) Westbound on Goldstrum Avenue at Ridge Street

(xii) Northbound/Southbound on Ridge Street at Goldstrum Avenue

(xiii) Northbound/Southbound on Ridge Street at Victor Boulevard (North)

(xiv) Eastbound/Westbound on Limeridge Road West at Hawkridge Avenue

(xv) Westbound on Aldridge Street at Hawkridge Avenue

(xvi) Eastbound on Aldridge Court at Hawkridge Avenue

(xvii) Eastbound/Westbound on Aldridge Street at Caledon Avenue

(xviii) Northbound/Southbound on Hawkridge Avenue at Jameston Avenue

(xix) Eastbound/Westbound on Jameston Avenue at Caledon Avenue

(xx) Eastbound on Tyrone Drive at Hawkridge Avenue

(xxi) Eastbound/Westbound on Limeridge Road East at Kingfisher Drive; and,

(b) That the above stop controls be implemented in conjunction with the Limeridge Road closures, on or about 1997 July 1; and,

(c) That Limeridge Road from Upper Ottawa Street to West 5th Street be removed from the Snow Route system; and,

(d) That parking be allowed at all times on the south side of Limeridge Road East from Kingfisher Drive to the easterly end; and,

(e) That the City Traffic By-law No. 89-72 be amended accordingly; and,

(f) That the closure and alteration of Limeridge Road in conjunction with the construction of the Red Hill Creek Expressway be advertised in accordance with the Municipal Act.

39. That in accordance with the decision to remove transit service from Limeridge Road between Upper Ottawa and West 5th Street effective on or about 1997 June 22, the bus stops, as listed in the attached Appendix "A", be removed and the City Traffic By-law No. 89-72 be amended accordingly.

40. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-18 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(b) A-19 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(c) A-20 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(d) A-21 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(e) A-22 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(f)	A-23	A By-law to Amend By-law No. 89-72 to Regulate Traffic
(g)	A-24	A By-law to Incorporate City Land Designated as Block 35, Plan 62M-760 into Adele Court
(h)	A-25	A By-law to Incorporate City Land Designated as Block 29, Plan 62M-793 into Westvillage Drive
(i)	A-26	A By-law to Incorporate City Land Designated as Block FX on Plan M-129 and Part 1 of Plan 62R-12403 into Duncairn Crescent
(j)	A-27	A By-law to Stop-up, Close and Retain Portions of Jeremy Street Designated as Parts 1 and 2 on Plan 62R-14037

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary

1997 April 21

Appendix "A" as referred to in Section 39 of the Fourth Report of the Transport and and Environment Committee for 1997

Route #45 Limeridge

Delete - Eastbound	Limeridge Road West, south side, 48' west of the west curb line (projected) of Lynbrook Drive (M/B); and
Delete - Eastbound	Limeridge Road West, south side, 151' west of the west curb line of Upper James Street (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 61' east of the east curb line (projected) of Ridge Street (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 10' east of the east curb line (projected) of Maitland Avenue (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 94' west of the west curb line of Upper Wellington Street (N/S); and
Delete - Eastbound	Limeridge Road East, south side, 20' west of the west curb line (projected) of Flamingo Drive (M/B); and
Delete - Northbound	Kingfisher Drive, east side, 109' north of the north curb line of Limeridge Road East (F/S); and
Delete - Northbound	Kingfisher Drive, east side, 45' south of the south curb line of Heron Place (N/S); and
Delete - Eastbound	Kingfisher Drive, south side, 16' west of the west curb line (projected) of Dove Court (M/B); and
Delete - Eastbound	Kingfisher Drive, south side, 68' west of the west curb line of Upper Wentworth Street (N/S); and
Delete - Eastbound	Limeridge Road East, south side, 276' west of the west curb line (projected) of Rockingham Drive (M/B); and

Delete - Eastbound	Limeridge Road East, south side, 480' west of the west curb line of Upper Sherman Avenue (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 34' west of the west curb line of Upper Sherman Avenue (N/S); and
Delete - Eastbound	Limeridge Road East, south side, 44' east of the east curb line (projected) of Lawnview Drive (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 98' east of the east curb line of the east leg of Leggett Crescent (F/S); and
Delete - Eastbound	Limeridge Road East, south side, 10' east of the east curb line (projected) of Lockton Crescent (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 228' west of the west curb line of Upper Gage Avenue (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 24' east of the east curb line (projected) of Birchview Drive (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 25' west of the west curb line (projected) of Brewster Street (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 23' west of the east curb line (projected) of Berrisfield Crescent (M/B); and
Delete - Eastbound	Limeridge Road East, south side, 55' west of the west curb line of Upper Ottawa Street (N/S); and
Delete - Westbound	Limeridge Road East, north side, 65' east of the east curb line of Berrisfield Crescent (N/S); and
Delete - Westbound	Limeridge Road East, north side, 37' east of the east curb line of Brewster Street (N/S); and

Delete - Westbound	Limeridge Road East, north side, 76' east of the east curb line of Birchview Drive (N/S); and
Delete - Westbound	Limeridge Road East, north side, 134' east of the centre line of Upper Gage Avenue (N/S); and
Delete - Westbound	Limeridge Road East, north side, 42' east of the east curb line of Lockton Crescent (N/S); and
Delete - Westbound	Limeridge Road East, north side, 18' east of the east curb line of Lawnview Drive (N/S); and
Delete - Westbound	Limeridge Road East, north side, 18' east of the east curb line of Upper Sherman Avenue (N/S); and
Delete - Westbound	Limeridge Road East, north side, 600' west of the west curb line of Upper Sherman Avenue (M/B); and
Delete - Westbound	Limeridge Road East, north side, 810' east of the east curb line of Upper Wentworth Street (M/B); and
Delete - Westbound	Kingfisher Drive, north side, 223' west of the west curb line of Upper Wentworth Street (M/B); and
Delete - Westbound	Kingfisher Drive, north side, 35' east of the centre line of Finch Place (N/S); and
Delete - Southbound	Kingfisher Drive, west side, 29' north of the north curb line of Sparrow Court (N/S); and
Delete - Southbound	Kingfisher Drive, west side, 179' north of the north curb line of Limeridge Road East (M/B); and
Delete - Westbound	Limeridge Road East, north side, 81' east of the east curb line of Flamingo Drive (N/S); and
Delete - Westbound	Limeridge Road East, north side, 57' east of the east curb line of Upper Wellington Street (N/S); and

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1997 and respectfully recommends:

1. That the Director of the Department of Culture and Recreation be authorized to apply to the Federal Department of Canadian Heritage for two positions (Historical Gardening Assistants) under the Young Canada Works programme for a period of eight (8) weeks at no cost to the City.

2. That approval be given to the Director of the Department of Culture and Recreation to expend up to $1,300 from the Children's Museum's Reserve Account No. CH5X942 00183 for the purchase of actuator buttons, a memory upgrade, and a CD-ROM for the MacIntosh computer for the exhibit area at the Hamilton Children's Museum.

3. That approval, as required by Parks By-law No. 95-126, Section 37, be given to the Director of the Culture and Recreation Department to authorize the use of a horse and carriage in Dundurn and Harvey Parks for the official opening of the Coach House facility on 1997 May 10, to give public carriage rides, under the following terms and conditions:

   (a) That proof of insurance be provided in the amount of $1 million for comprehensive General Liability, Property Damage, Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,

   (b) That the operator assume responsibility for all clean-up related to the carriage rides.

4. (a) That approval, as required by Parks By-law No. 95-126, Section 37, be given to the Director of the Culture and Recreation Department, to authorize the Friends of the Hamilton Children's Museum to bring animals into Gage Park on the occasion of the 19th Birthday Party for the Hamilton Children's Museum to be held on 1997 July 17 (raindate 1997 July 18) subject to the following terms and conditions:

   (i) That proof of insurance be provided in the amount of $2 million for Comprehensive General Liability, Property Damage, Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,

   (ii) That the exhibitors assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

   (iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be approved at the applicant's expense; and,

   (iv) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,

   (b) That approval, as required by Parks By-law No. 95-126, Sections 29, 30 and 33 be given to the Director of the Culture and Recreation Department, to permit twelve (12) exhibitors to park their cars/trucks and trailers on the grass at the east and south sides of the south parking lot at the Hamilton Children's Museum during the Birthday Party event on 1997 July 17 (raindate 1997 July 18).

5. That approval, as required in compliance with Section 11 of Parks By-law No. 95-126 and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to sell alcoholic beverages in the locations and on the dates specified:

   (a) Hamilton Ladies Slo-Pitch Association - 1997 June 20, June 21, June 22 - Turner Park; and,

   (b) Gourley Park Association - 1997 July 3, July 4, July 5, - Gourley Park (J. A. MacDonald School); and,

(c) Hamilton Wentworth Police Association - 1997 July 11, July 12, July 13 - Turner Park; and,

(d) Wentworth Adult Mixed Slo-Pitch League - 1997 May 30, May 31, and June 1; 1997 July 25, July 26, July 27 - Globe Park; and,

(e) Canamera Foods - 1997 September 13 - Globe Park; and,

(f) Canada Auto Workers National Slo-Pitch Tournament - 1997 September 20 - Globe Park.

6. That approval as required by Section 17(1) and Section 26 of the Fireworks By-law 90-198 and Section 11 of the Parks By-law No. 95-126, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to St. Anthony's Feast Committee to hold a low-level Fireworks Display and serve alcoholic beverages at Ivor Wynne Stadium on 1997 June 15, in conjunction with the annual Feast Celebrations.

7. That approval be granted to the Director of Culture and Recreation to enter into a contract in a form acceptable to the City Solicitor, with Boardview Advertising Inc. as the successful bidder, in response to a Request for Proposal issued through the Purchasing Department on 1997 February 19, and closed on 1997 March 12, for the supply, installation, service and maintenance of Arena Rink Board advertising at the Chedoke Twin Pad Arena, for a term of two years, at a guaranteed revenue of not less than $4,000 annually, with an option to renew for three one-year terms, commencing on the signing of the agreement.

8. (a) That the City Treasurer be authorized to revise the gross cost of the Steam Museum Pumphouse Restoration project from $550,000 to $1,100,000 with $550,000 provided under the cost-sharing agreement by the Federal Government and the balance of $550,000, being the City's share of the cost, funded from the issuance of debentures as approved by City Council on 1992 March 27; and,

(b) That the City Solicitor be authorized to revise the City By-law No. 92-213 dated 1992 August 25 and the Ontario Municipal Board No. E920488 dated 1992 June 26 to reflect the revised gross cost noted above.

9. (a) That the City of Hamilton renew the Lease Agreement which expired on 1995 December 31 with Her Majesty the Queen, represented by the Minister of the Environment (National Water Institute), for the use of City lands lying immediately east of No. 57 Beach Boulevard; and,

(b) That the new term commence 1996 January 1 and expire 2001 December 31, for an annual rent of $1 plus any applicable taxes, and rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rental); and,

(c) That either party has the right to terminate the agreement on thirty (30) days written notice; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement subject to the terms and conditions of the City Solicitor.

10. (a) That the City accept a donation for the supply and installation of creative play equipment (supplied by Kompan Playscapes Inc.) from Saturn Canada valued at $8,500; and,

(b) That this play structure donation be used as follows: $1,500 towards Victoria Park, $1,500 towards Jackson Park, and $5,500 towards Sam Manson Park; and,

(c) That the City accept a cash donation of $6,700 from Mr. Ron Richter; and,

(d) That an income tax receipt be issued to Mr. Ron Richter for his cash donation of $6,700; and,

(e) That the cash donation be credited to Account No. CF659752040 - 1997 Play Structure Redevelopment; and,

(f) That the City redevelop the creative play structure area at Sam Manson Park at an estimated cost of $31,200; and,

(g) That funding for redevelopment of the creative play structure area be taken from Account CF659752040 - 1997 Play Structure Redevelopment; and,

(h) That in order to standardize the development at Sam Manson Park, the City purchase play structure equipment from Kompan Playscapes Inc. for the amount of $11,200 ($6,700 donation and $4,500 from the City), and that this purchase be made without the requirement of receiving three competitive bids, as per the Purchasing Policy.

11. That Section 7 (c) of the First Report of the Parks and Recreation Committee for 1994 as adopted by City Council at its meeting held 1994 December 13 respecting signing authority on New Mum Show Sub-Committee accounts be amended to read as follows:

> That all expenditures charged to the Reserve Account be authorized by the Secretary of the New Mum Show Sub-Committee on the recommendation of the New Mum Show Sub-Committee.

12. (a) That City Council express its congratulations to the Executive and volunteers of the Canusa Games on the occasion of the 40th anniversary of this international youth sports exchange between the Cities of Hamilton and Flint, Michigan; and,

(b) That City Council provide one time funding support to a maximum amount of $16,100 for additional expenses anticipated for the mounting of a special 40th anniversary opening ceremonies to be held on 1997 August 8; and,

(c) That the Finance and Administration Committee be requested to identify a source of funding for this one time grant; and,

(d) That the Director of Culture and Recreation be authorized to waive green fees for the use of Chedoke Civic Golf Course, Beddoe course by Canusa Games - Hamilton Branch for the purposes of holding a fund-raising golf tournament.

13. That the Child Abuse Reporting Policy - Culture and Recreation Department, attached hereto as Appendix "A", be approved.

14. That approval be granted to enter into an agreement, in a form satisfactory to the City Solicitor, with Mini Sports Shops of Hamilton, as the sole bidder in response to a request for proposal issued through the Purchasing Department, for the management and operation of a Pro Shop within the Chedoke Twin Pad Arena, and to begin 1997 May 1, for a period of three years and set to terminate 2000 April 30, with a monthly rent payable of $200 inclusive of all taxes.

15. (a) That a moratorium be declared on the construction of single purpose meeting space facilities in City of Hamilton parks with the exception of the facility presently being planned for Roxborough Park pending a review of use, management and maintenance of existing facilities by the Director of Culture and Recreation and the Commissioner of Public Works and Traffic; and,

(b) That staff be directed to report back on the results of this review by the end of 1997.

Respectfully Submitted,

ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson, Secretary

1997 April 22nd

Appendix "A" as referred to in Section 13 of the Fourth Report of the Parks and Recreation Committee for 1997

HAMILTON DEPARTMENT OF CULTURE AND RECREATION

CHILD ABUSE REPORTING POLICY

POLICY

Department Representatives are obligated to comply with their responsibility under the Child and Family Services Act, 1985, Section 68:2 & 68:7, with respect to the reporting of suspected child abuse.

TRAINING

All full-time and part-time/seasonal staff working with children will be trained in identification and correct reporting procedures for incidents of suspected child abuse.

DEFINITION OF ABUSED CHILD

A child, according to the law of Ontario, is someone under the age of sixteen, or up to eighteen if under the care of a Child Welfare Agency.

An abused child is one who has been:

- physically harmed, or
- seriously deprived of nutrition, care, or other basic needs, or
- sexually abused, or
- emotionally or psychologically abused

SUSPICION OF ABUSE

Acting upon a suspicion of child abuse is an immediate priority and must be treated confidentially.

Any staff person or volunteer, who has reasonable grounds to suspect that a child has been abused must collect, record and report on a "Record of Suspected Child Abuse" form any relevant and available information, and notify their **Supervisor** (Centre Supervisor, Aquatic Supervisor, Facility Supervisor, Curator) at once. If the immediate supervisor is not available, the next available person in authority **(full time staff member)** must be contacted.

DECISION TO REPORT

The **Supervisor or full-time staff member** shall immediately:

- verify/clarify details of the report with the reporting staff, within 2 hours of suspicion,
- make a decision to report the suspicion to the appropriate Child Welfare Agency, or
- make a decision that the evidence does not warrant a suspicion of abuse being reported, and inform the reporting staff or volunteer that they may choose to report the incident on their own, if they are convinced a report is necessary
- notify their Division Manager and Supervisor of action taken (including a decision not to report) within 24 hours (Monday to Friday), or on the Monday following a weekend incident
- notify the reporting staff or volunteer of the decision made and action taken

REPORTING PROCEDURE

The **Supervisor or full-time member** shall immediately:

- document the suspicion (using a Record of Suspected Child Abuse form), and ensure that a list of names, addresses and phone numbers of observing staff or volunteer(s) is available. (Do not make copies of the form, or send it by fax. This is confidential information.)
- contact the appropriate Child Welfare Agency listed on the next page, ask for the Intake Worker, and comply with their reporting protocol or contact the Training Unit for assistance in reporting

Child Welfare Agencies

Children's Aid Society	522-1121
Catholic Children's Aid	525-2012

(If religious affiliation cannot readily be determined, contact the Children's Aid Society.)

- submit the Record of Suspected Child Abuse form to his/her Supervisor along with a record of the action(s) taken to date on the incident

SUPERVISOR RESPONSIBILITY

The **Division Manager** will notify the Director about the incident and will then submit the form in confidence to the **Office of the Director** in whose office the files are maintained.

If the decision by the Supervisor or full-time staff is **NOT** to report, the "Record of Suspected Child Abuse" form **MUST still be completed**, signed and forwarded in confidence to the Office of the Director.

PROHIBITION

Staff are prohibited from using any form of abuse or corporal punishment.

Staff are prohibited from being alone in an enclosed office or space with a child.

Staff are prohibited from taking trips from their facility alone with a child.

RF:mp

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1997 and respectfully recommends:

1.A. (a) That approval be given to Amended Subdivision Application 96-01 (Regional File No. 25T-96001), Paul Silvestri, owner, to establish a draft plan of subdivision "Olmsted Park", for lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East and 1684 Upper Wellington Street, comprising of 19 lots for single detached dwellings, a future road, 5 blocks to be developed with the adjacent lands to the north and east for single detached dwellings, 3 blocks for road widenings and 5 blocks for 0.30 m reserves, subject to the following conditions:

(i) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke, O.L.S., dated April 14, 1997, showing 19 lots for single detached dwellings, a future road, 5 blocks to be developed with the adjacent lands to the north and east for single detached dwellings, 3 blocks for road widenings and 5 blocks for 0.30 m reserves (see attached Appendix "A"); and,

(ii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,

(iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,

(iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,

(v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,

(vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,

(vii) That a 2m by 2m daylight triangle for road widening purposes from Lot 10 at the L-shape bend in the road be included on the Final Plan of Subdivision; and,

(viii) That the north - south section of Street A must align centreline to centreline with the future street proposed in approved Dicenzo Gardens draft plan of subdivision; and,

(ix) That access to single family residential development be from the mid-block collector and other major collector streets, as provided for in the approved Ryckmans Neighbourhood Plan; and,

(x) That Lots 16, 17, 18, 19, and Block 21 not be developed until the street cul-de-sac is established and constructed to its full width with a minimum right-of-way radii of 15m and minimum 9m radius transitions into and out of the cul-de-sac bulb; and,

(xi) That Blocks 21, 22, 23 and 32 be developed in conjunction with the adjacent lands (Block 409 on "DiCenzo Gardens" draft Plan of Subdivision (25T-86008)); and,

(xii) That Block 20 be developed in conjunction with the adjacent lands; and,

(xi) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,

(xvii) That the owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands to satisfy all requirements, financial or otherwise of the City of Hamilton; and,

(b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-96001(R)), Paul Silvestri, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

(c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,

B. (a) That approval be given to Amended Zoning Application ZAC-96-05, Paul Silvestri, owner, for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District (Blocks "1" and "2") and "C" (Urban Protected Residential, etc.) District (Block "3"), for lands located north of Rymal Road East and west of Upper Wellington Street, known municipally as 177 Rymal Road East and 1684 Upper Wellington Street, as shown on the attached map marked as Appendix "B" on the following basis:

(i) That Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family) District; and,

(ii) That Block "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

(iii) That the "R-4" (Small Lot Single Family) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands shown as Block "1", be modified to include the following special requirement:

(1) That notwithstanding Section 9A.(2)(b) of By-law No. 6593, the single family dwelling existing at the time of the passing of this by-law, known municipally as 177 Rymal Road East, shall provide and maintain the following setbacks:

(a) 9.9 metres from the northerly lot line;
(b) 4.3 metres from the southerly lot line;
(c) 1.2 metres from the westerly lot line;
(d) 1.2 metres from the easterly lot line; and,

(iv) That the amending By-law applicable to Block "2" apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the availability of all such municipal services for the subject lands as the City deems necessary to service the proposed development.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled; and,

(v) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1379, and that the Blocks "1" and "2" on Zoning District Map E-9D be notated S - 1379; and,

(vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D for presentation to City Council; and,

(vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

(b) That upon finalization of the zoning by-law and draft plan approval of the amended subdivision plan, that the approved Ryckmans Neighbourhood Plan be amended to revise the local road pattern and to redesignate the subject lands from "Attached Housing" to "Single and Double Residential".

2. A. (a) That the amended request by 822827 Ontario Inc. (A. DiSilvestro) for a revised plan of subdivision "Wisemount Estates" (File No. 25T-83004(R)), for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, comprising of 67 lots for street townhouses, 1 lot for a single family dwelling, 1 block to be merged with the abutting single family lot, 1 block for parkland, 2 blocks for road widening purposes, 1 block for a small lot single family dwelling, as shown on the attached map marked as Appendix "C", be denied; and,

(b) That amended Zoning Application ZAC-97-07, 822827 Ontario Inc., owner, for changes in zoning from "DE-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "1"); from "DE-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "2"); from "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "3"); from "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "4"); and, from "E-2" (Multiple Dwellings) District to "R-4" (Small Lot Single Family) District (Block "5") for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, as shown on the attached map marked as Appendix "D", be denied for the following reasons:

(i) the dedication of Block 69 to the City of Hamilton as a park block cannot be supported for the following reasons:

(1) since it is an isolated site which has no visibility from the street and will be fenced on all sides from the adjacent residential properties, it may not be possible to see the activities that are occurring in the park (eg dogs running off the leash); and,

(2) due to the size of the proposed park, there are potential land use conflicts such as noise emanating from the park and encroachments by abutting property owners into public space, etc.; and,

(3) the size is too small for neighbourhood park facilities; and,

(ii) the development of Block 69 as a private park cannot be supported given that if the property standards are not maintained, the City may incur significant costs enforcing the property standards backyard by-laws. If the City should gain ownership of this parcel of land in the future, the municipality would assume responsibility for maintenance and policing of the land; and,

B. (a) That the red-line revised plan of subdivision "Wisemount Estates" (File No. 25T-83004(R)), for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, comprising of 52 lots for street townhouses, 1 lot for a single family dwelling, 1 block for future development, 2 blocks for road widening purposes, and 1 block for a public walkway, be approved subject to the following conditions:

(i) That this approval apply to the plan, as revised in red, prepared by Urbex Engineering Limited and J.D. Barnes Limited (surveyor), dated March 20, 1997, showing 52 lots for street townhouses, 1 lot for a single family dwelling, 1 block for future development, 2 blocks for road widening purposes, and 1 block for a public walkway (see attached Appendix "E"); and,

(ii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,

(iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan; and,

(iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,

(v) That the final plan conform with the Zoning By-law approved under the Planning Act; and,

(vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,

(vii) That prior to development, the Owner prepare and implement an erosion and sediment control plan to the satisfaction of the City of Hamilton and Hamilton Region Conservation Authority and that said plan comply with the following requirements:

(1) All erosion and sediment control measures will be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated; and,

(2) That the Owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,

(3) Areas not scheduled for development within 45 days or over the winter months should be left with existing vegetation in place. If the area has been previously graded, all disturbed areas should be revegetated using seed and mulch; and,

(4) All disturbed areas will be revegetated with permanent cover immediately following completion of construction; and,

(viii) That the owner dedicate Block 56, being a 3.048 m road widening for Limeridge Road, to the City of Hamilton; and,

(ix) That the owner dedicate Block 57, being a 5.18 m road widening for Upper Kenilworth Avenue, to the City of Hamilton; and,

(x) That the Owner establish Street "A" to its full 18.0 m width and that these lands be conveyed to the City of Hamilton at the time of registration of the final plan of subdivision. All works must be completed to the satisfaction of the Senior Director, Roads Department; and,

(xi) That the Owner provide the Region with documentation to the satisfaction of the Regional Environment Department and Utility Corporations (Hamilton Hydro, Union Gas, Bell Canada and Cable TV) that the standard roadway cross-section, utilities and municipal sidewalks etc., for a 20.0m road allowance, can be installed on both sides of Street "A", proposed at 18.0m width; and,

(xii) That the Owner construct sidewalks on both sides of Street "A" and that a combined walk and curb is to be constructed to the satisfaction of the Regional Environment Department; and,

(xiii) That 1 m by 1 m daylight triangles be included on the Final Plan of Subdivision at the intersection of Street "A" and Limeridge Road, as widened and Street A and Upper Kenilworth Avenue, as widened; and,

(xiv) That a minimum 4 m by 4 m daylight triangle be included on the Final Plan of Subdivision at the 90 angle in Street "A" adjacent to Lot 42; and,

(xv) That Block 55, being a 6.0 m wide public walkway be dedicated to the City of Hamilton and the costs to construct the walkway are the responsibility of the applicant/owner; and,

(xvi) That the Owner pay all costs for servicing, etc. on Street A adjacent to Block 55; and,

(xvii) That the Owner convey Blocks 58, 59, 60 and 61, being 0.30 m wide reserves along Lots 4, 52, 29 and 28 respectively, to the City of Hamilton, by deed, at the time of registration of the Final Plan of Subdivision; and,

(xviii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,

(xix) That Street "A" be dedicated to the City of Hamilton as a public highway on the Final Plan of Subdivision; and,

(xx) That the Owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton prior to development of any portion of these lands; and,

(xxi) That the Owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands to satisfy all requirements, financial or otherwise of the City of Hamilton; and,

(b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-83003(R)), 822827 Ontario Inc., owner, proposed revised draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

(c) That the Regional Commissioner of Environment be advised that the City of Hamilton requests that the Draft Approved plan of Subdivision "Wisemount Estates - Phase 8" (Regional File No. 25T-83004) be revised to incorporate a 6.0m wide block, for use as a public walkway, in accordance as shown on the attached map marked as Appendix "E", connecting Block 55 with Locheed Drive, that the lotting pattern be amended accordingly. In addition, it is requested that the conditions of draft approval be amended to require that the applicant dedicate the subject land as a Public Walkway to the City of Hamilton; and,

(d) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision; and,

C. That approval be given to amended Zoning Application ZAC-97-07, 822827 Ontario Inc., owner, for changes in zoning from "DE-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "1"); from "E-2" (Multiple Dwellings) District to "RT-30" (Street - Townhouse) District (Block "2"); from "E-2" (Multiple Dwellings) District to "R-4" (Small Lot Single Family) District (Block "3"); and from "R-4" (Small Lot Single Family) District to "A" (Conservation, Open Space, Parkland and Recreation) District (Block 4) for lands located west of Upper Kenilworth Avenue and north of Limeridge Road East, as shown on the attached map marked as Appendix "F", on the following basis:

(i) That Block "1" be rezoned from "DE-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District; and,

(ii) That Block "2" be rezoned from "E-2" (Multiple Dwellings) District, modified, to "RT-30" (Street - Townhouse) District; and,

(iii) That Block "3" be rezoned from "E-2" (Multiple Dwellings) District to "R-4" (Small Lot Single Family) District; and,

(iv) That Block "4" be rezoned from "R-4" (Small Lot Single Family) District to "A" (Conservation, Open Space, Parkland and Recreation) District; and,

(v) That Block "5", for a change in zoning to the established "E-2" (Multiple Dwellings) District, modified, be tabled; and,

(vi) That the "RT-30" (Street Townhouse - Maisonette) District regulations, as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special requirements; and,

(1) That in addition to the requirements of Section 10F.(4)(a) of Zoning By-law No. 6593, a minimum front yard having a depth of not less than 8.0 m to the garage or carport where the lot fronts onto a road allowance that is less than 20.0 m in width shall be provided and maintained; and,

(vii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1378, and that the Blocks "1" and "2" on Zoning District Map E-59A be notated S-1378; and,

(viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council; and,

(ix) That, upon finalization of the implementing zoning by-law, the Lisgar Neighbourhood Plan be amended as follows:

(1) that the public highway shown as Street "A" on Appendix "B" be added to the Neighbourhood Plan; and,

(2) that Blocks "1" and "2", as shown on Appendix "A" be redesignated from "Medium Density Apartments" to "Attached Housing"; and,

(3) that the existing sewer easement/walkway be redesignated from "Open Space" to "Single & Double" and that the new location of the walkway be designated as "Open Space" and labelled as a "6m Walkway"; and,

(x) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

3. That Zoning Application 97-01, Vedemo Construction Ltd., owner, requesting a change in Zoning from "RT-20" (Townhouse - Maisonette) District, modified to "DE-2 (Multiple Dwellings) District for lands located west of Donn Avenue and south of Highridge Avenue, to permit two 4-storey apartment buildings with a total of 92 units, as shown on the attached map marked as Appendix "G", be denied for the following reasons:

(a) It conflicts with the intent of the Official Plan in that:

(i) the proposed apartment buildings do not provide for a gradation of density in that the apartment buildings would be adjacent to singe detached dwellings; and,

(ii) the preferred location for multiple dwellings is at nodes centred at the intersection of arterial and collector roads. The proposed multiple family dwellings would have access from a local road only; and,

(b) It conflicts with the approved Neighbourhood Plan in that the subject lands are designated "Attached Housing" on the approved Riverdale East Neighbourhood Plan. The proposed use is consistent with the "Medium Density Apartments" designation. The preferred location for multiple family dwellings is at the intersection of arterial and collector roads.

4. That Item 11.B. of the Nineteenth (1992) Report of the Planning and Development Department to City Council on 1992 November 10, respecting Zoning Application ZAC-92-30 by Mr. and Mrs. E. Ciardullo, for lands at 1468 and 1478 Upper James Street, as shown on the attached map marked as Appendix "H", be amended:

(a) by deleting 11.B.(a), and replacing it with the following:

"That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, and the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified in

accordance with Section 39 of the Planning Act, R.S.O. 1990, to permit the temporary use of the lands for a garden centre/nursery and related uses until February 28, 1999, subject to the special following provisions:

(i) That notwithstanding Sections 4(3)a , 7A(1) and 9.(1) of Zoning By-Law 6593, a garden centre and associated parking and an ancillary single family dwelling shall be permitted; and,

(ii) That notwithstanding Sections 7A(1) and 9.(1) of Zoning By-Law 6593, a business identification sign shall be permitted in accordance with the requirements of Section 13.(1)(xv) of Zoning By-Law 6593, and a ground sign shall be permitted in accordance with the requirements of paragraph two of Section 14A.(3)(a) of Zoning By-Law 6593; and,

(iii) That notwithstanding the provisions of Section 9(3)(ii) of Zoning By-law 6593, a southerly side yard of 0.0m is permitted for the accessory single family dwelling; and,

(iv) That notwithstanding the provisions of Section 18A (14a) of Zoning By-law No. 6593, parking may be provided in the required front yard and not less than 40% of the gross area of the front yard shall be used for landscaped area; and,

(v) That notwithstanding the provisions of Section 18A (26) of Zoning By-law 6593, the access driveway may be 0.0m from the southerly boundary line of Block "B"; and,

(vi) A landscape strip having a minimum width of 1.5m shall be provided and maintained along the northerly boundary of Blocks "A" and "B"; and,

(vii) That a minimum 6.0m wide landscape strip shall be provided and maintained along the westerly boundary of Block "A"; and,

(viii) That a fence not less than 1.2m and not more than 2.0m in height shall be provided and maintained along the westerly and northerly boundary of Block "A"; and,

(ix) That Section 18A (30) of Zoning By-law 6593 shall not apply."; and,

(b) by adding a new clause 11.E as follows:

"That the temporary use and the temporary use by-law shall terminate on February 28, 1999."

5. That Item 1 of the 6th Report of the Planning Development Committee, approved by Council at its meeting of 1997 April 8, regarding Charity Gaming Clubs, Table Games and Video Lottery Terminals, be amended by deleting the original Appendix "A" and replacing it with a new Appendix "A" as attached hereto and marked as Appendix "I".

6. That the City Solicitor be directed to prepare an amendment to Mobile Sign By-law 97-026 to extend the non-collection of fees to Friday, 1997 June 13.

7. (a) That due to extenuating circumstances as a result of limited road access caused by the reconstruction of roads in the East Mountain Industrial Business Park, staff enforce, on a complaint basis only, the Mobile Sign By-law in the East Mountain Industrial Park, East of Upper Ottawa Street to the City limits (but not including those establishments fronting onto Upper Ottawa Street), south of Stonechurch Road and North of Rymal Road; and,

(b) That this direction be valid only for the period of construction causing limited road access or 1997 October 31st or whichever should occur later.

8. That Schedule 'B' of By-law No. 97-057, appointing the Downtown Hamilton B.I.A.'s Board of Management be repealed and the following names substituted:

SCHEDULE 'B'

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	The Right House
A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, GowlingInc.
R. Sorenson	Sundried Tomatoes

9. That the Building Commissioner be authorized to issue demolition permits for the following addresses in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended:

637 Rosseau Road
120 Sanford Avenue North

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of nine hundred and twenty dollars ($920) be approved for Mae Golden, 203 Strathearne Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

11. (a) (i) That a secured loan in the amount of fifty-five thousand and twenty-three dollars ($55,023) to Edith Hoare, carrying on business as Orthopaedic Services, for improvements to 280 1/2 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

(ii) That a grant from the Barton Street Revitalization Fund in the amount of twenty-five thousand dollars ($25,000) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program; and,

(b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of ten thousand dollars ($10,000) to Edith Hoare, carrying on business as Orthopaedic Services, exterior storefront improvements to 280 1/2 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

(ii) That a grant from the Barton Street Revitalization Fund in the amount of five thousand dollars ($5,000) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

12. (a) That the budget as outlined in Appendix "J" be approved for a Festival (Streetscaping Ground Breaking Ceremony) to be held 1997 April 18; and,

(b) That the City Treasurer be authorized and directed to forward $2264.81 ($2831 -20% holdback) for the Festival (Streetscaping Ground Breaking Ceremony)to the Barton Street B.I.A.. The outstanding balance of $566.20 to be forwarded upon submission of a statement of account.

13. (a) That Item 4 of the Planning and Development Committee Report 14-94, approved by Council on 1994 October 11, regarding approval of the cash payment in lieu of 5% parkland dedication in the amount of $18,000 for "Sheldon Estates" be rescinded and replaced with Item (b) below; and,

(b) That the City of Hamilton accept the sum of $25,300 as a cash payment in lieu of the 5% land dedication in connection with "Sheldon Estates", Hamilton, being the cash payment required under Section 51 of the Planning Act.

14. (a) That the Chairman or his designate attend the 1997 Canadian Institute of Planner Conference in St. John's, Newfoundland, 1997 July 20-23 and the 1997 Ontario Professional Planners Institute Conference in Windsor, Ontario, 1997 August 20-23; and,

(b) That costs for attendance be allocated to Alderman Travel account No. CH55201 10010 from the 1997 Operating Budget.

15. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) C-23 A By-law to Amend Zoning By-law No. 6593:
1. To Define "Charity Gaming Club", "Table Games" and "Video Lottery Terminals (VLT)"
2. To Permit a Charity Gaming Club and Video Lottery Terminals Within the Downtown Area.

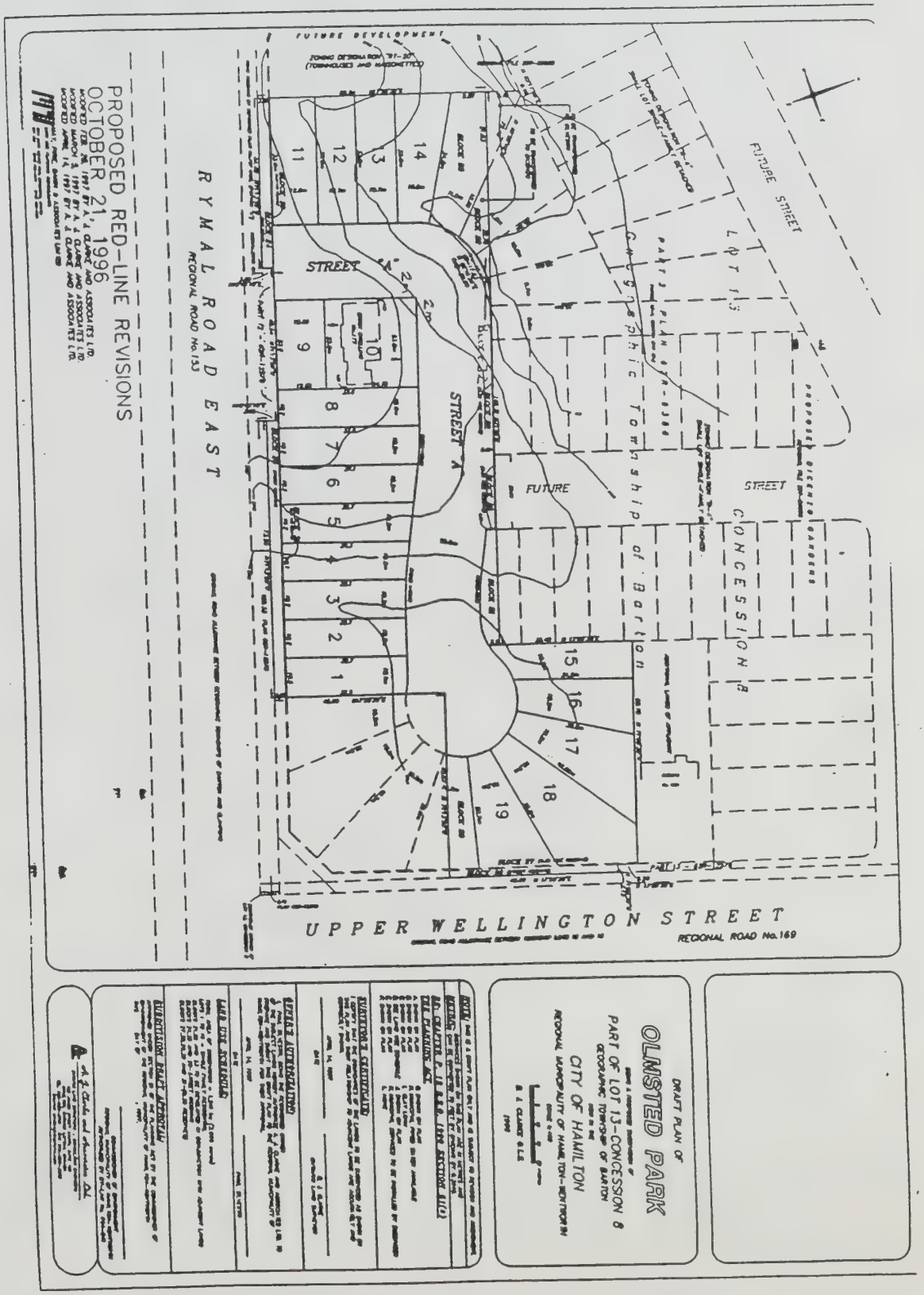
(b) C-24 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 350-360 King Street East.

(c) C-25 A By-law to Amend By-law No. 97-026 Respecting A By-law to Regulate the Size, Use, Location and Maintenance of Mobile Signs on Private Property Within the City of Hamilton.

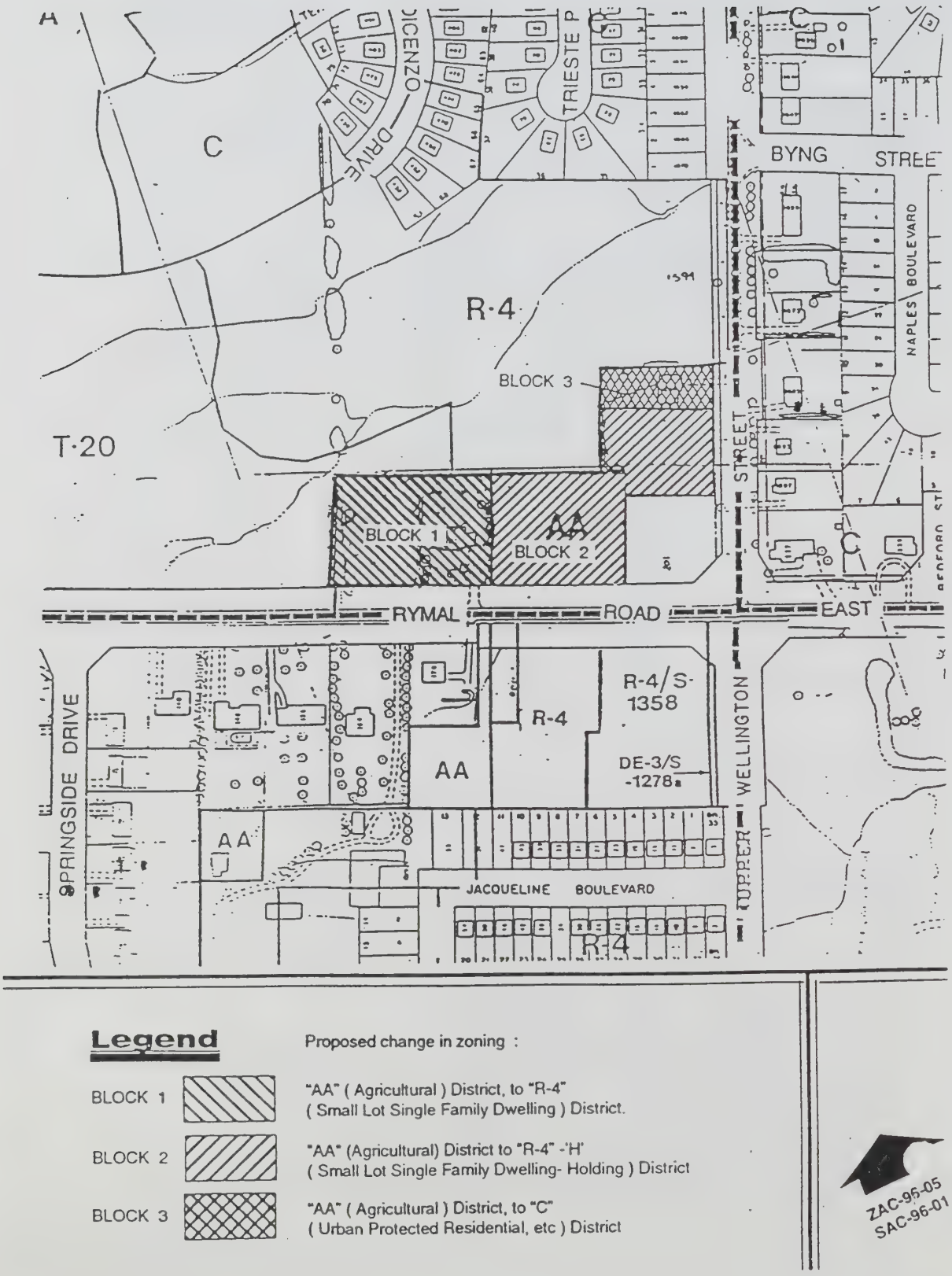
Respectfully submitted,

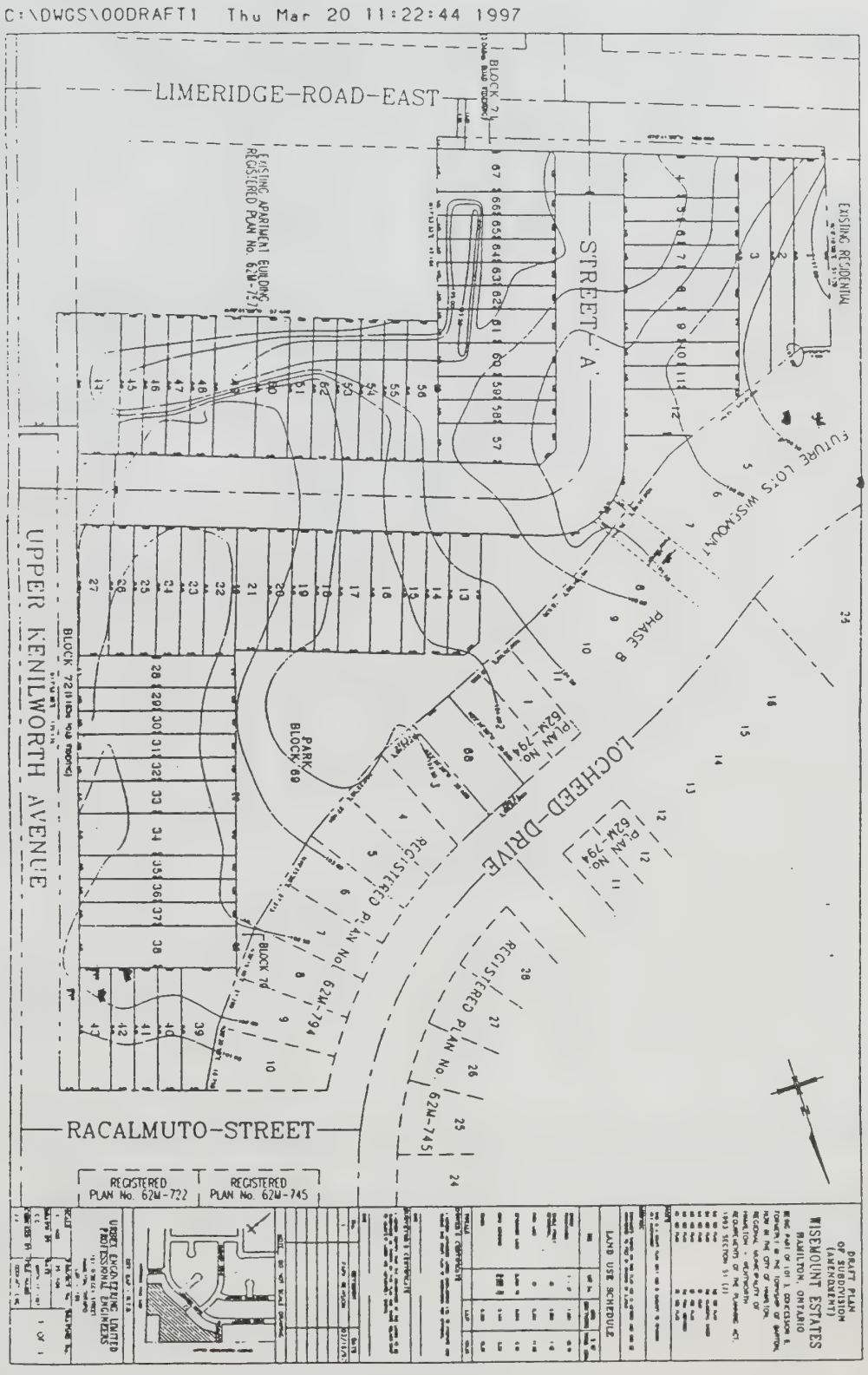
ALDERMAN D. DRURY, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1997 April 23

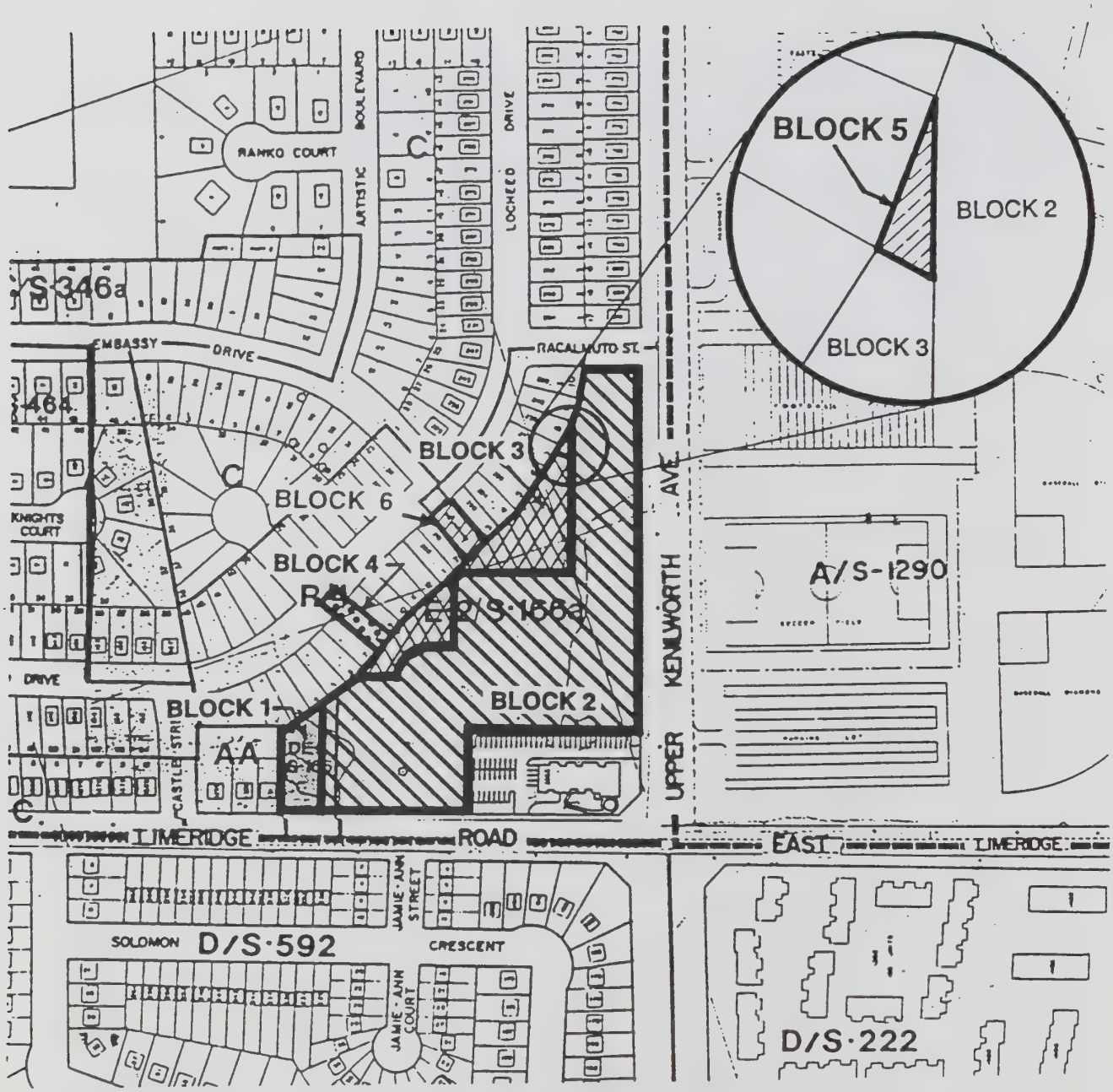

FUTURE DEVELOPMENT
FUTURE STREET
LOT 13
Geographic Township of Barton
CONCESSION B
STREET
STREET A
FUTURE
STREET
RYMAL ROAD EAST
REGIONAL ROAD No.153
UPPER WELLINGTON STREET
REGIONAL ROAD No.169
PROPOSED RED-LINE REVISIONS
OCTOBER 21, 1996
DRAFT PLAN OF
OLMSTED PARK
PART OF LOT 13-CONCESSION B
GEOGRAPHIC TOWNSHIP OF BARTON
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Appendix "B" referred to in
Section 1B(a) of the **SEVENTH** Report
of the Planning and Development
Committee for 1997





25T-83004 REVISED



Legend

CHANGE IN ZONING :

BLOCK 1 — From "DE–2" (Multiple Dwellings) District, modified to "RT–30" (Street – Townhouse) District

BLOCK 2 — From "E–2" (Multiple Dwellings) District, modified to "RT–30" (Street – Townhouse) District

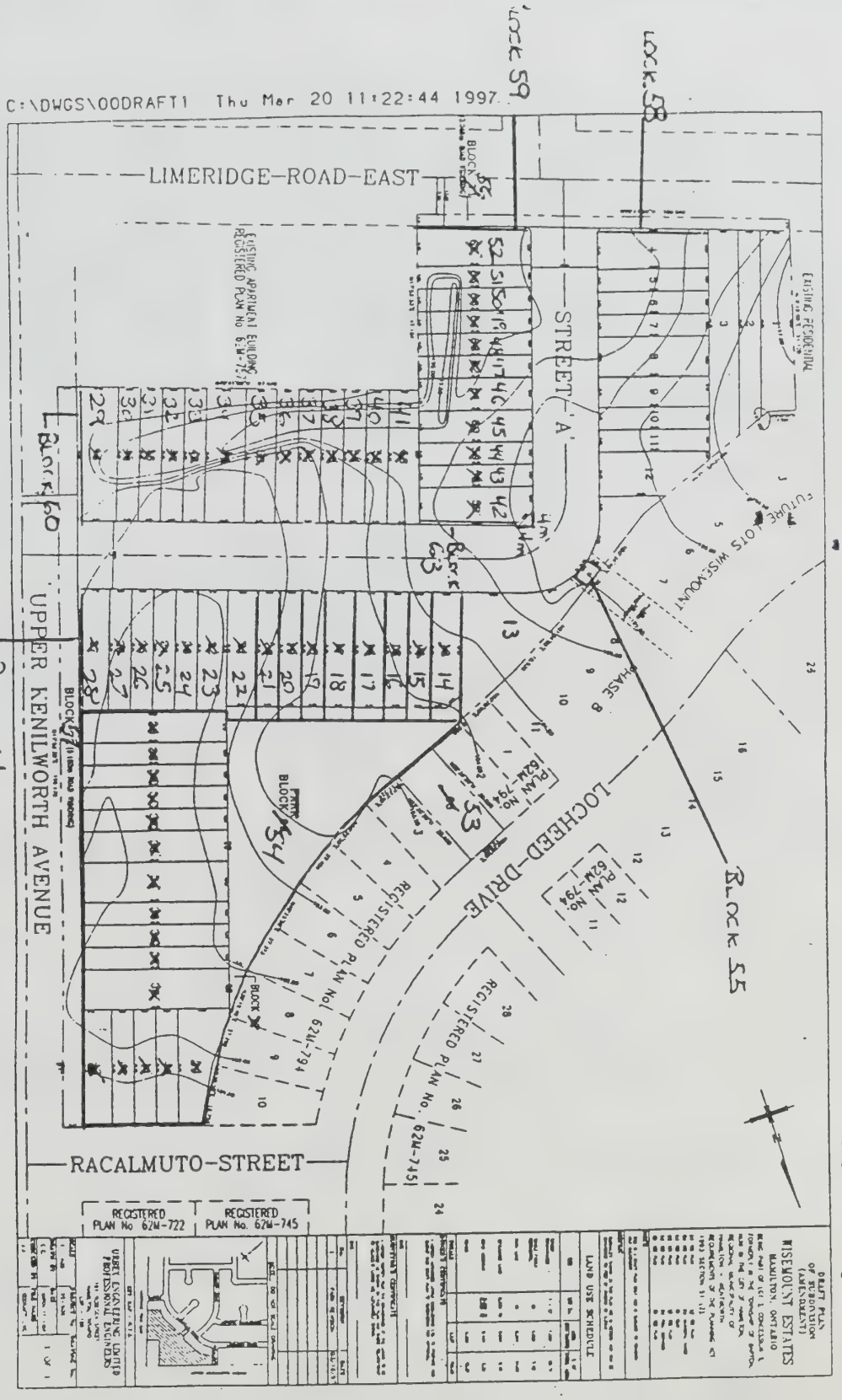
BLOCK 3 — From "DE–2" (Multiple Dwellings) District, modified to "A" (Conservation, Open Space, Parkland and Recreation) District

BLOCK 4 — From "R–4" (Small Lot Single Family) District, modified to "A" (Conservation, Open Space, Parkland and Recreation) District

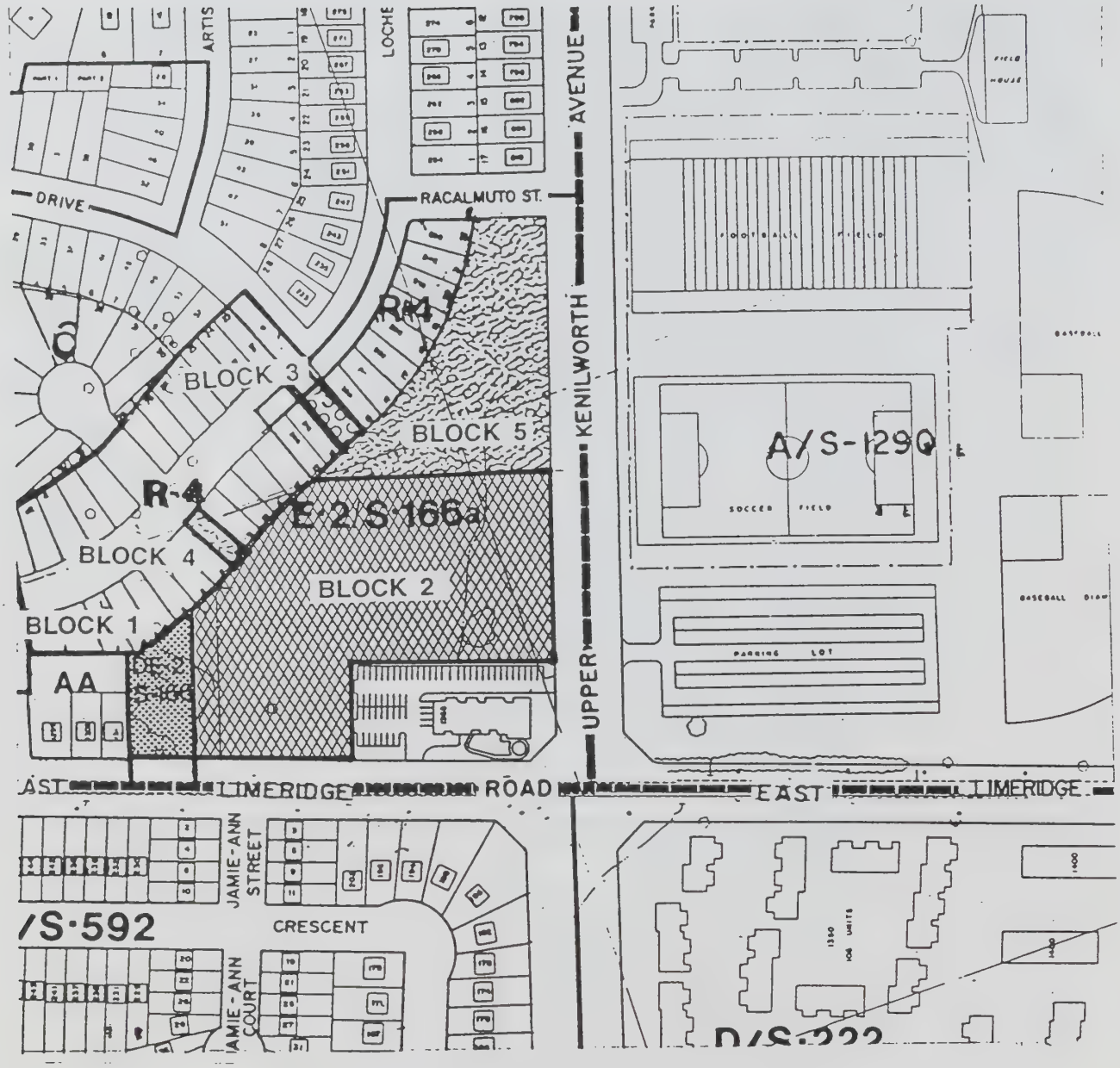
BLOCKS 5 & 6 — From "E–2" (Multiple Dwellings) District, to "R–4" (Small Lot Single Family) District

Reference File No. ZAC–97–07	
Drawn By W. B.	Date April 199
Scale NOT TO SCALE	

North



25T-88004 REVISED



Legend CHANGE IN ZONING :

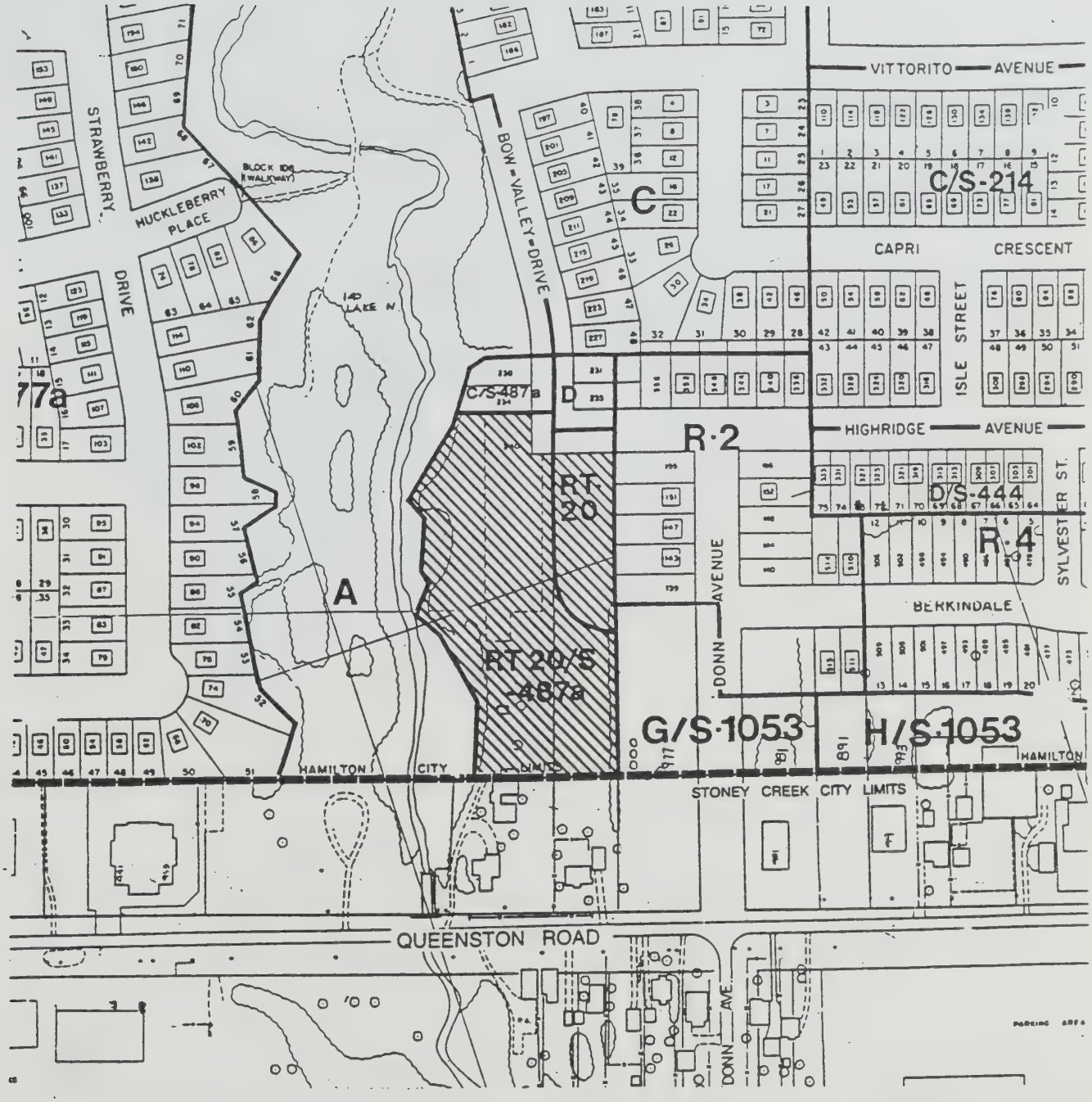
BLOCK 1		From "DE-2" (Multiple Dwellings) District, modified to "RT-30" (Street - Townhouse) District
BLOCK 2		From "E-2" (Multiple Dwellings) District, modified to "RT-30" (Street - Townhouse) District
BLOCK 3		From "DE-2" (Multiple Dwellings) District, modified to "A" (Conservation, Open Space, Parkland and Recreation) District
BLOCK 4		From "R-4" (Small Lot Single Family) District, modified to "A" (Conservation, Open Space, Parkland and Recreation) District
BLOCK 5		Consideration of change in zoning from "E-2" (Multiple Dwellings) District, modified, tabled for further review

Reference File No
ZAC-97-07

Drawn By	Date
W. B.	April 19

Scale
Not to Scale

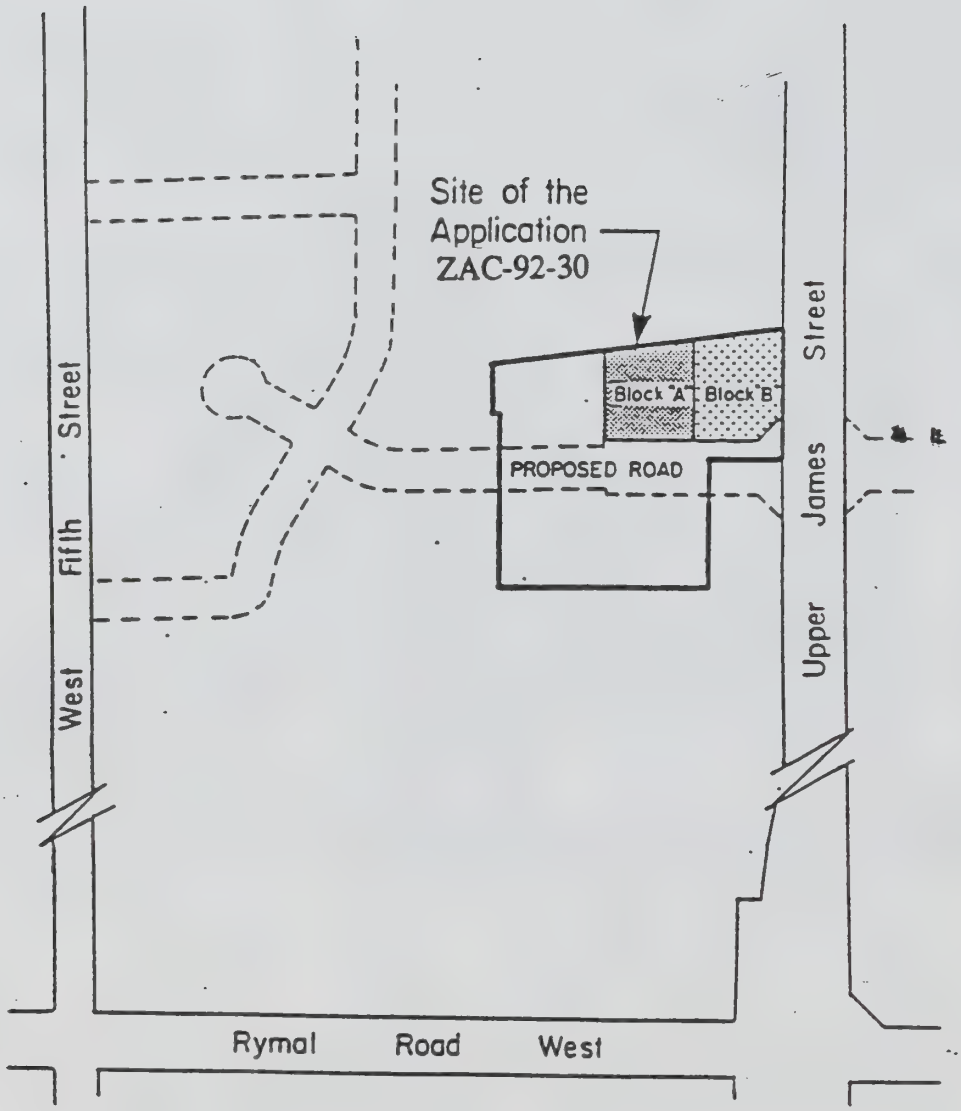
North



Legend

Site of the Application

ZAC-97-01



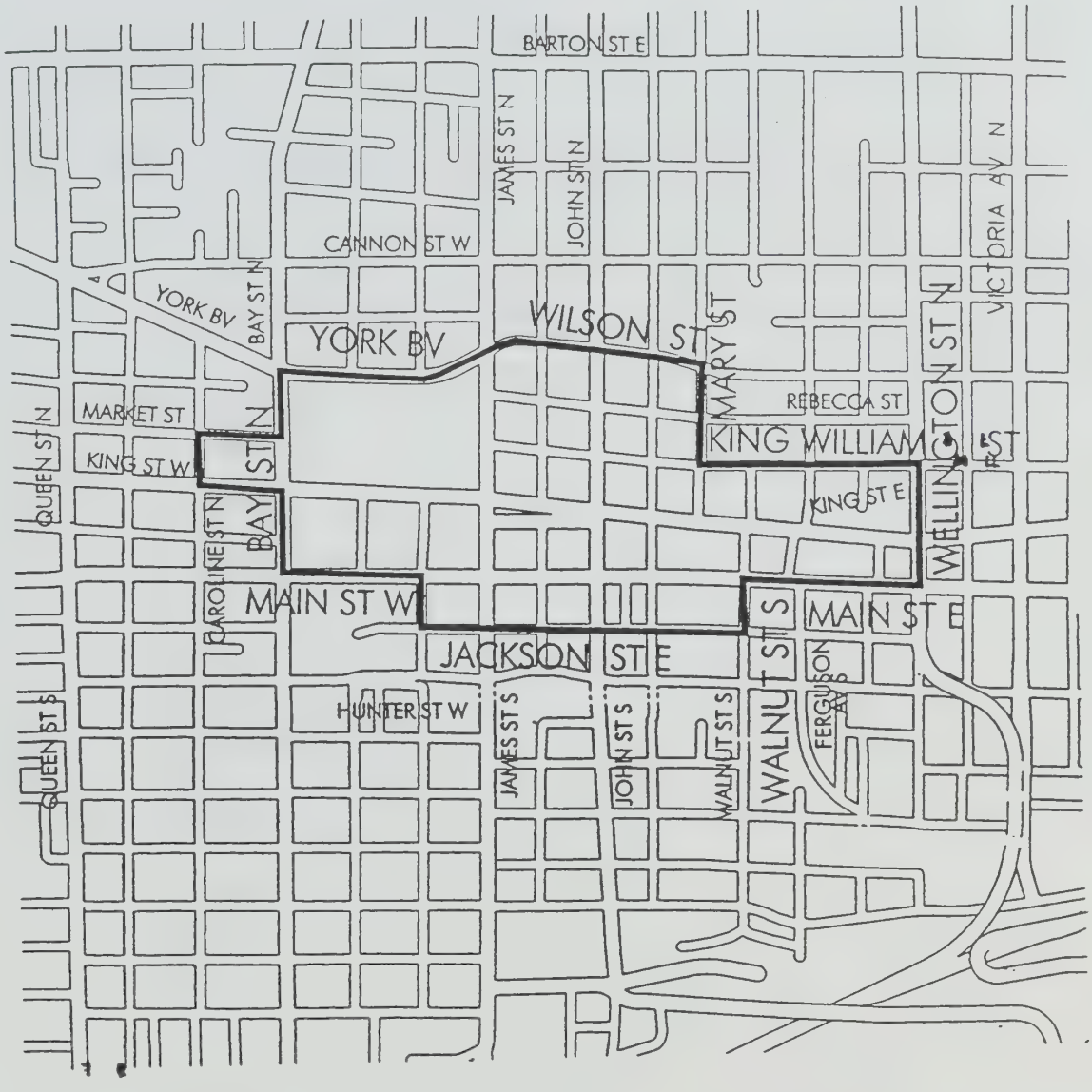
Legend

Block "A"

Block "B"

Proposed Modification to the established "AA" (Agricultural) District Regualtions

Proposed Modification to the established "C" (Urban Protected Residential, etc.) District Regulations



City of Hamilton

Appendix "A"

Planning and Development Department

Legend

LOCATION OF CHARITY GAMING CLUBS (Refer to specific districts in Zoning By-Law)

North	Scale	Reference File No.
	NOT TO SCALE	CI 96-G
	Date	Drawn By
	April 23, 1997	W. B.

Schedule A

STREETSCAPING GROUND BREAKING CEREMONY

AND

CLEAN/PRIDE CAMPAIGN

Advertising/Invitations	$ 500.00
Flyer Distribution	300.00
Tent	175.00
Food/Sundries	100.00
Cleaning Items	621.00
BBQ Tank	10.00
Risers	30.00
Audio	125.00
Miscellaneous	100.00
Draw Prize	300.00
SUB-TOTAL	**$2,361.00**
Contingency	470.00
TOTAL	**$2,831.00**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1997 and respectfully recommends:

1. (a) That the 1997 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed in Column (6) on the "Comparison of Components and Total Mill Rates for the years 1993 to 1997 inclusive", attached herewith and marked Appendix "A"; and,

   (b) That the by-laws to fix the rates of taxation for Municipal, Regional, School, and total rates of taxation for the year 1997 be approved; and,

   (c) That the by-law to levy an annual tax on telephone companies doing business in Ontario be approved.

2. (a) That approval be granted to the Hamilton Civic Hospitals & Chedoke-McMaster Foundations to use the Hamilton Farmers' Market on Saturday, 1997 September 20 to host a Charity Fund Raising Gala in support of equipment for the Hamilton Health Sciences Corporation; and,

   (b) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations provide proof of insurance in the amount of $5 million naming the City of Hamilton as an insured and further that this insurance carry a Host Liquor Liability Endorsement; and,

   (c) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be permitted to serve liquor and wine at their event and that it be their responsibility to apply to the Ontario Liquor Control Board for the required liquor and wine permits; and,

   (d) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required to comply with all applicable Provincial and Municipal regulations with respect to building, fire and health considerations associated with the hosting of their event; and,

(e) That the Hamilton Civic Hospitals & Chedoke-McMaster Foundations be required, at their own expense, to return the Hamilton Farmers' Market to its original condition prior to their event and further that they be required to satisfy all reasonable requests of the Hamilton Farmers' Market Stallholders Association with respect to protection of stallholder assets during their event.

3. That the legal and consultant's fees and disbursements of the former owners of 13.16 acres, expropriated by the City at Limeridge Road East (J. Petis, trustee), be settled in the amount of $118,500. Compensation for the expropriated land was previously approved by City Council on 1992 July 28, (Section 14 of the Fourteenth Report for 1992 of the Parks and Recreation Committee).

4. (a) (i) That a new Agreement with Carmen's Catering Ltd. to replace the previous Licence Agreement between Carmen's Catering Ltd. and The Corporation of the City of Hamilton, dated 1992 January 15, for the provision of food services at the City Hall cafeteria, which contained a provision in favour of the City to grant in its sole and unfettered discretion, an extension of the term of the Agreement, for a further three (3) and two (2) year terms be entered into for a term of three (3) years from 1996 April 6 to 2000 April 5, on the following terms and conditions:

(1) Carmen's shall pay to the City a basic monthly fee of $500 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, when the gross sales realized from the cafeteria and catering facets of the operation fall between $0 and $200,000. This fee structure will apply to the following nine (9) months of each year during the term: January, February, March, April, May, June, September, October and November; and,

(2) Carmen's shall pay to the City a basic monthly fee only of $250 per month, plus business and realty taxes which are assessed against the cafeteria area, when the gross sales realized from the cafeteria and catering facets of the operation fall between $0 and $225,000. This fee structure will apply to the following three (3) months of each year during the term: July, August, and December; and,

(3) Carmen's shall pay to the City a basic monthly fee of $750 per month for the nine (9) months referenced in (a) (i) (1). above, plus five percent (5%) of cafeteria sales, plus business and realty taxes which are assessed against the cafeteria area, when gross sales realized from the cafeteria and catering facets of the operation fall between $200,000 and $225,000 per annum; and,

(4) Carmen's shall pay to the City a basic monthly fee of $750 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, for the entire twelve (12) months of the year, when the gross sales realized from the cafeteria and catering facets of the operation fall between $225,000 and $250,000 per annum; and,

(5) Carmen's shall pay to the City a basic monthly fee of $1,000 per month, plus five percent (5%) of sales generated from the cafeteria, plus business and realty taxes which are assessed against the cafeteria area, for the entire twelve (12) months of the year, when the gross sales realized from the cafeteria and catering facets of the operation exceeds $250,000 per annum; and,

(6) The annual gross sales realized by Carmen's from the cafeteria and catering facets of the operation will be those sales realized during each annual term of this Licence Agreement with the City commencing 1997 April 6, as verified, if requested by the City, by an independent accounting firm of Carmen's, at its expense, by May 30 of each year, following which any adjustment in fees will be made upward or downward and become due and payable by either party to the other within ten days following the said May 30 date; and,

(ii) That all other terms and conditions of the 1992 January 15, Licence Agreement between Carmen's and the City shall remain the same; and,

(b) That the Mayor and the City Clerk be authorized and directed to execute on behalf of the City, an Agreement with Carmen's Catering Ltd. which is in a form satisfactory to the City Solicitor.

5. That purchase orders be issued for the supply and delivery of Annual Supplies for various City Departments as and when required during 1997, in accordance with specifications issued by Purchasing, and Vendors' tenders, to those suppliers listed in this report and to be financed through various approved accounts.

(a) Aggregates

Supplier	Material	Unit Pricing Tractor Trailer	Unit Pricing Tri-Axle Tandem
1. Cayuga Materials	Granular 'A'	$ 7.34	$ 8.34
2. Lakeview Sand & Gravel	Granular 'A'	7.60	9.60
3. Taro Aggregates Ltd.	19mm Clear	8.50	8.50
4. TCG Materials	9.5mm Chips Washed	11.45	12.70
5. Taro Aggregates Ltd.	53mm Clear	8.50	9.50
6. Redland Quarries	#8 Dust Suppressed Grits	28.60	29.10
7. Flamboro Quarries	Athlete Field Lime	14.95	15.55
8. Cayuga Materials	19mm Crusher Run	7.34	8.34
9. Redland Quarries	19mm Crusher Run	7.65	8.15
10. Cayuga Materials	53mm Crusher Run	7.34	8.34
11. Vinemount Quarries	Rubble Stone	9.75	10.25
12. Vinemount Quarries	75-200mm Gabion Stone	11.00	11.50
13. Cayuga Materials	9.5mm Screenings	7.66	8.66
14. Taro Aggregates Ltd.	9.5mm Screenings	8.00	8.00
15. Redland Quarries	9.5mm Screenings	8.00	8.50

* Note that all prices are on a per tonne basis. GST and PST extra where applicable.

(b) Mixed Portland Cement Concrete

Sidewalk, Curb & Roadway Concrete	Delivered	Picked Up
Dufferin Concrete Products	$ 99.55	$ 92.00
Lafarge Construction Material	96.25	79.00
CBM Concrete	103.00	103.00
Unshrinkable Fill		
Dufferin Concrete Products	$52.00	$ 45.00
CBM Concrete	48.00	no quote
Lafarge Construction Material	52.50	50.00

* Note that all prices are on a cubic metre basis.

(c) Asphaltic Concrete and Bituminous Materials

Asphalt Surface Course (H.M.3)			
Capital Paving		picked up	$ 40.55
Lafarge Construction Materials		picked up	43.25
Cayuga Materials & Construction Co. Ltd.		picked up	44.00
Asphalt Binder Course (H.M.5)			
Cayuga Materials & Construction Co. Ltd.		picked up	$ 42.50
Lafarge Construction Materials		picked up	43.00
Capital Paving		picked up	44.50
HLS030 Hot Lay, HL-3(HS) Asphalt			
Cayuga Materials & Construction Co. Ltd		picked up	$ 43.00
Capital Paving		picked up	44.75
Lafarge Construction Materials		picked up	43.50
Cationic Asphalt Emulsions CRS-2			
Norjohn Ltd.			0.3075
Additional Cost to Supply a Tank for Duration of Contract			
Norjohn Ltd.			No Charge
Cationic Asphalt Emulsions CRS-2			
Norjohn Ltd.	CRS-2	delivered	0.3075
McAsphalt Ltd.	CRS-2 Latex Modified	delivered	0.3600
Hot Liquid Asphalt			
Lafarge Construction Materials		picked up	$ 5.00L
Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000			
TCG Materials		picked up	$ 56.95
Innovative Municipal		picked up	45.00
Cayuga Materials	QPR2000 Fine	picked up	68.00
Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000			
TCG Materials, Brantford		delivered	$ 59.95
Innovative Municipal		delivered	49.95
Cayuga Materials	QPR2000 Fine	delivered	75.00
Crack Sealing Material			
McAsphalt Industries Ltd		delivered	.2794/lb.

* Note that all prices are on a per tonne basis unless otherwise noted.

(d) Chemicals

Da-lee Dust Control		
Flake Calcium Chloride	delivered	$0.4300
Liquid Calcium Chloride	delivered	$0.1320

* Note that all prices are per KG.

* GST and PST extra where applicable in all sections.

6. That as referenced in Section 12 of the Fourth Report for 1997 of the Parks and Recreation Committee, a contribution up to an amount of $16,100 to assist in defraying the costs of the Special Opening Ceremonies celebrating the 40th CANUSA Games in Hamilton, 1997 August 8, be financed from the Hosting of Conferences with Municipal Subject Content Account CH 54307 80040.

7. That By-law No. 9430 be amended to release from expropriation the lands at 206 Dumbarton Avenue being Parcel E, Plan 597, save and except Part 1 on 62R-8118 and Part 1 on 62R-6273, City of Hamilton, Regional Municipality of Hamilton-Wentworth.

8. That the Sick Leave By-law 7530 be amended to allow employees to utilize one tenth of a day from the employee's sick leave credit bank to offset deductions under the Attendance Management Plans and Disability Plans.

9. That a By-law to enact the 1997 Culture and Recreation Department User Fees be enacted.

10. That a By-law to enact the Planning Fees Tariff be enacted.

11. That a By-law to enact user fees for the Hamilton Fire Department be enacted.

12. That a purchase order be issued to Universal Handling Equipment Company Ltd., Hamilton, in the amount of $200,150 including all applicable taxes and trade in, for the replacement of two (2) Truck Chassis complete with Refuse Packers units #9125 and 9126 for Fleet Services, being the only tender received in accordance with specifications issued by the Purchasing and Vendor's tender, and be financed through the 1996 Vehicle Replacement Programme Account Centre CF 649651019.

13. That a purchase order be issued to Wajax Industries Ltd., Mississauga, in the amount of $164,022, including all applicable taxes and trade-in, for the replacement of one (1) Truck Chassis complete with Aerial Device and Chip Box unit #9630 for Fleet Services, being the lowest acceptable of six tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

14. (a) That the City of Hamilton Licensing By-law #93-069, respecting Taxicabs, be amended to require that the Ontario Human Rights Code be posted prominently at all taxi brokerages; and,

(b) That the City Solicitor be authorized and directed to prepare the appropriate amending By-law.

15. That approval be given to the request from The Hamilton Mundialization Committee that Hamilton twin/mundialize with the City of Nazareth, Israel.

16. That the 1997 Levy By-laws for the seven (7) Business Improvement Areas in the City of Hamilton be approved in the amounts as follows:

Business Improvement Areas	1997 Levy
Barton General	$ 8,760
Westdale	35,000
International Village	53,500
Ottawa Street North	50,000
Concession Street	10,100
Downtown Promenade	84,000
Main Street West	3,000

17. That the City Solicitor, on behalf of the City of Hamilton, be authorized to initiate an Application under the Cemeteries Act to declare the Young Family Cemetery, located at 1541 Upper Wellington Street, abandoned.

18. (a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(ii) 56 Kenilworth Avenue North, Car Park #30

(b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

19. (a) That an Offer to Purchase Agreement, duly executed by Ron Van Kleef, on 1997 April 2 and scheduled to close on or before 1997 October 30, for the lands municipally described as 467 Charlton Avenue East, being part of Lots 11 and 12, Concession 3, in the geographic Township of Barton; Parcel 17, part of Parcel 18 and part of Parcel 29, as in Book 223A, City of Hamilton, Regional Municipality of Hamilton-Wentworth, being an irregular shaped parcel containing 1.18 hectares (2.91 acres) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $150,000, less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $15,000 be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the first $100,000 and 4% on the remaining $50,000 sale price be paid to Cupido Realty & Insurance Ltd. (Sales Representative Mario Cupido), who acted in this matter; and,

(d) That the Offer to Purchase be subject to conditions, for the benefit of the Purchaser, so that the Purchaser may:

(i) At his expense satisfy himself as to the cost to demolish the existing building, prior to 1997 May 31; and,

(ii) At his expense, make investigations to satisfy himself as to the quality of soils and environmental condition of the property, prior to 1997 June 28; and,

(iii) At his expense, obtain approval to legally operate a taxi business on/from the subject property, which may necessitate a rezoning, prior to 1997 October 1; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(f) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on 1997 February 20 and received on 1997 April 22; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

20. (a) That the current lease with the Hamilton Press Club be terminated; and,

(b) That the Corporation of the City of Hamilton enter into a lease at 58 Jackson Street West with Canadian Super Party Inc. (Terry O'Donnell) on a month to month basis for a three (3) month period commencing 1997 April 1; and,

(c) That the lease for the above space contain the following terms and conditions:

(i) Premises: The leased premises are located in the basement of 58 Jackson Street West, and comprises of 1,406 square feet (formerly occupied by Press Club) and is to be used as a bar; and,

(ii) Term: Short term lease on a month to month basis up to a three (3) month period to commence on 1997 April 1. The Hall of Fame Management Committee will consider at a future meeting whether to grant this tenant a three (3) year lease at which time a further report will be forwarded to the Finance and Administration Committee for consideration; and,

(iii) Rent: $10.50 per square foot (modified gross) $1,230.25 per month. This rate includes realty taxes based on the existing assessment. If the assessment was to increase then the tenant must pay the additional tax amount. The Tenant must also pay for hydro, water, heat, janitorial service and provide proof of insurance as required by the City of Hamilton in amounts satisfactory to the City Solicitor. The first month rent is to be paid in advance; and,

(iv) Additional Terms:

(1) The tenant must pay for the costs of fixing the existing exhaust fan in order to ensure that cigarette smoke does not provide a continued hazard to the Hall of Fame collections; and,

(2) The tenant will be assessed a $100 fee for every time the alarm is triggered for this leased area so as to cover the cost of staff and police charges for each alarm received; and,

(d) That the Mayor and City Clerk be authorized to execute a short term lease agreement in a form satisfactory to the City Solicitor.

21. (a) That an Offer to Purchase (Tender Form), duly executed by Teresa Zampini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 2 on Plan 62R-13294, having a frontage of 15.370 metres (50.42 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 541.8 square metres (5,832.0 square feet) more or less, municipally known as 92 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $51,511 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $5,151.10 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

22. (a) That an Offer to Purchase (Tender Form), duly executed by Mark Pillinini, on 1997 April 8 and scheduled to close on or before 1997 June 20, for the lands being part of Lot 14, Concession 8, in the geographic Township of Barton, more specifically designated as Part 1 on Plan 62R-13294, being irregular in shape and having a frontage of 9.244 metres (30.0 feet) more or less, along the southerly limit of Stone Church Road East, Hamilton and containing an area of 542.7 square metres (5,841.8 square feet) more or less, municipally known as 88 Stone Church Road East, Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $46,100 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,610 be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,

(iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

23. (a) That an Offer to Purchase to be executed by 2871220 Canada Limited (Home Depot) and scheduled to close on or before 1997 September 12, for the lands being part of Parcel "A" and "B" on Registered Plan 1332, formerly in the Township of Saltfleet, now in the City of Hamilton, being the northerly 128.0 metres (420 feet) more or less, of the westerly 4.724 metres (15.5 feet) of Parcel "B" and save and except the most southerly 10.07 metres (33 feet) more or less, of said Parcel "A", and comprising a total area of 644.99 square metres (6,942.87 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a Survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $43,810 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $4,381 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The herein Offer be conditional until closing upon the successful conclusion of the Committee of Adjustment minor variance application (A-97:21) and passing of any appeal period applicable hereto and the Purchaser acknowledges that the decision of the Committee of Adjustment of 1997 February 19 has been appealed to the Ontario Municipal Board; and,

(ii) The purchase price be calculated at the rate of $6.31 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser not less than seven (7) days prior to the date of closing. If the survey determines the area of the subject property to be more or less than 6,942.87 square feet, the purchase price shall be increased or decreased accordingly; and,

(iii) It shall be required to obtain site plan approval in connection with the subject property and the adjacent development. The Purchaser acknowledges and agrees that grading requirements (i.e. flood control), satisfactory to the Vendor in its capacity as municipality, shall be imposed in respect of the property. The Vendor agrees to provide to the Purchaser an Authority to Enter over its adjacent parcel to the east should same be required to effect such grading requirements; and,

(iv) The Purchaser shall complete the grading and associated works on the subject property in compliance with the above noted site plan by no later than 1998 December 31; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 22nd day of April 1997; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

24. (a) That an Offer to Purchase, duly executed by Julius Kohl on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 65 Covington Street, Hamilton, having an area of 101.17 square metres (1,089 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $2,180 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $218 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 65 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,089 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

25. (a) That an Offer to Purchase, duly executed by The Estate of Philip Doyle (Mike Doyle) on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 75 Covington Street, Hamilton, having an area of 179.34 square metres (1,930.5 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $3,860 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $386 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 75 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,930.5 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

26. (a) That an Offer to Purchase, duly executed by Lorraine Doyle on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 79 Covington Street, Hamilton, having an area of 153.28 square metres (1,650 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $3,300 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $330 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 79 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 1,650 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

27. (a) That an Offer to Purchase, duly executed by Douglas Samson and Betty Samson on 1997 April 17 and scheduled to close on or before 1998 December 31, for the lands being part of Parcel "B" on Registered Plan 1332, being part of the easterly 5.029 metres (16.5 feet) more or less, of Parcel "B" on Registered Plan 1332, immediately west of 95 Covington Street, Hamilton, having an area of 350.32 square metres (3,770.9 square feet) more or less, known municipally as part of 6 Cascade Street, Hamilton, the exact area to be determined by a survey to be prepared by the Vendor, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $7,540 be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $754 be held by the City Treasurer pending Council approval; and,

(c) That it be understood and agreed that the Offer to Purchase be conditional on the following:

(i) The Purchaser hereby acknowledges that the City has applied for a minor variance, Application No. A-97:21, to allow the lands immediately west of the subject lands to be used in conjunction with the development of the abutting property being 350 Centennial Parkway; and that the owner of the property at 350 Centennial Parkway has applied for a minor variance, Application No. A-97:84, so as to permit the proposed home improvement retail warehouse to maintain a rear (east) yard depth of at least 1.19 metres (3.90 feet) instead of the minimum 6.0 metres (19.69 feet) required in the district and the Purchasers hereby agree not to object in any way to said applications. Therefore, the Purchaser hereby agrees not to exercise any rights of objection or appeal available in connection herewith as adjacent owners by virtue of and as part consideration of the transaction herein; and,

(ii) The Purchaser will remove from the City land being Parcel A and B, Registered Plan 1332, immediately west of 95 Covington Street, Hamilton, all machinery, equipment, concrete works, tires, wood, debris and garbage etc. upon execution of this Offer to Purchase; and,

(iii) It is also understood and agreed that the Purchaser acknowledges that the developer of the property immediately to the west of the subject lands, being 350 Centennial Parkway, will be required to obtain site plan approval from the City of Hamilton, in connection with the development of 350 Centennial Parkway. Such site plan approval is to include but not be limited to grading requirements (ie. flood control) satisfactory to the City of Hamilton and this grading (flood control) will consider the lands being purchased herein; such grading requirements shall be complete by no later than 1998 December 31; and,

(iv) The purchase price be calculated at the rate of $2 per square foot. The Vendor shall undertake at their expense the preparation of a survey signed and under the seal of an Ontario Land Surveyor in good standing to determine the exact area of the subject property and deliver it to the Purchaser upon completion. If the survey determines the area of the subject property to be more or less than 3,770.9 square feet, the purchase price shall be increased or decreased accordingly; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(e) That in accordance with the Real Property Sales Procedural By-law No. 95-049:

(i) Satisfactory Notice has been given to the public of the intended sale; and,

(ii) No appraisal of the fair market value of the real property being sold was obtained as industrial lands are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) The City Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

28. (a) That $175,000 be allocated to purchase a Fleet Management Information System, including $130,000 for software and licencing, Marcam Corporation and $45,000 for computer hardware, this being the City of Hamilton's portion of the joint purchase between the City and the Region; and,

(b) That the funds be allocated from the Reserve for Replacement of Mobile Equipment, the money created by forecasting and will not impact the approved 1997 budget allotment; and,

(c) That the tender be awarded to Marcam Corporation, the lowest estimated acquisition cost.

29. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-16 A By-law to Fix the Rates of Taxation for Municipal Purposes for the Year 1997.

(b) D-17 A By-law to Fix the Rates of Taxation for Regional Purposes for the Year 1997.

(c) D-18 A By-law to Fix the Rates of Taxation for School Purposes for the Year 1997.

(d) D-19 A By-law to Fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1997.

(e) D-20 A By-law to Levy: An Annual Tax on Telephone Companies doing Business in Ontario Respecting: The Bell Telephone Company of Canada.

(f) D-21 A By-law to Authorize the Amendment of By-law No.9430 in Respect of the Expropriation of Certain Lands.

(g) D-22 A By-law to Amend By-law No. 7530 The Sick Leave By-law.

(h) D-23 A By-law to Amend By-law No. 96-039 Respecting: Culture and Recreation Department User Fees.

(i) D-24 A By-law Respecting: Tariff of Planning Fees.

(j) D-25 A By-law Respecting: A By-law to Enact User Fees for The Hamilton Fire Department.

(k) D-26 A By-law to Authorize: The Levy of a Special Charge in respect of: The Concession Street Business Improvement Area generally comprised of Lands covering Concession Street between East 18th Street and East 25th Street.

(l) D-27 A By-law to Authorize: The Levy of a Special Charge in respect of: Westdale Village Business Improvement Area generally covering King Street West and the Area of the Intersection of Cline Avenue and King Street West and extending to an area West of Newton Avenue and Sterling Street.

(m) D-28 A By-law to Authorize: The Levy of a Special Charge in respect of: The Ottawa Street North Business Improvement Area generally covering Ottawa Street North between Main Street East and extending to an area North of Barton Street East.

(n) D-29 A By-law to Authorize: The Levy of a Special Charge in respect of: The Main Street West Esplanade Business Improvement Area generally comprised of Lands on the East and West Sides of Main Street West between Locke Street on the West and Queen Street on the East.

(o) D-30 A By-law to Authorize: The Levy of a Special Charge in respect of: Barton Street East #1 Business Improvement Area generally covering both sides of Barton Street from the West Side of Wellington Street to the East Side of Wentworth Street.

(p) D-31 A By-law to Authorize: The Levy of a Special Charge in respect of: The Downtown Hamilton Business Improvement Area generally covering the Area between King William Street, Mary Street, Main Street East and James Street.

(q) D-32 A By-law to Authorize: The Levy of a Special Charge in respect of: The International Village Business Improvement Area generally covering both Sides of King Street East between Mary Street and Wellington Street North.

(r) D-33 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1997 April 22

City of Hamilton
Treasury

COMPARISON OF COMPONENTS AND TOTAL MILL RATES FOR THE YEARS 1993 TO 1997 INCLUSIVE

Description (1)	1993 (2)	1994 (3)	1995 (4)	1996 (5)	1997 (6)	Increase + Decrease – 1996 to 1997 Mills (7)	% (8)
Residential							
City	104.2203	104.2203	105.1413	105.1413	105.1413	0.0000 +	0.00 +
Region	107.0004	106.9719	110.1432	111.3252	112.0642	0.7390 +	0.66 +
Sub Total	211.2207	211.1922	215.2845	216.4665	217.2055	0.7390 +	0.34 +
Education – Elementary	117.3363	113.1485	120.0501	120.5303	141.4554	20.9251 +	17.36 +
– Secondary	72.8626	77.0493	77.3765	83.1289	65.1902	17.9387 –	21.58 –
Sub Total	190.1989	190.1978	197.4266	203.6592	206.6456	2.9864 +	1.47 +
Total Mill Rates	401.4196	401.3900	412.7111	420.1257	423.8511	3.7254 +	0.89 +
Non–Residential							
City	122.6121	122.6121	123.6957	123.6957	123.6957	0.0000 +	0.00 +
Region	125.8828	125.8493	129.5803	130.9709	131.8402	0.8693 +	0.66 +
Sub Total	248.4949	248.4614	253.2760	254.6666	255.5359	0.8693 +	0.34 +
Education – Elementary	138.0427	133.1159	141.2354	141.8004	166.4181	24.6177 +	17.36 +
– Secondary	85.7207	90.6462	91.0312	97.7987	76.6943	21.1044 –	21.58 –
Sub Total	223.7634	223.7621	232.2666	239.5991	243.1124	3.5133 +	1.47 +
Total Mill Rates	472.2583	472.2235	485.5426	494.2657	498.6483	4.3826 +	0.89 +

Notes: The 1997 mill rates were calculated based on the 1996 unrevised assessment for 1997 taxation.

1997 April 29

Appendix "A" referred to in Section 1 of the **EIGHTH** Report of the Finance and Administration Committee for 1997

1997 April 29

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SEVENTH** Report for 1997 and respectfully recommends:

1.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 April 29

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1997 and respectfully recommends:

1. (a) That the Bingo Lottery Licence of the Kinsmen Charitable Foundation of Hamilton be suspended for two events, specifically 1997 May 9 and 23; and,

   (b) That the Kinsmen Charitable Foundation of Hamilton receive retraining in the operation of a bingo lottery from the City of Hamilton Licensing Division.

Confidential background information provided to members of City Council under separate cover.

Respectfully submitted,

ALDERMAN D. WILSON, CHAIRPERSON
LICENSING COMMITTEE

Stella Glover
Secretary
1997 April 9

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 APRIL 29
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

BILL NO. *A-18*

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Limeridge	Eastbound and Westbound	Brewster
Bacall (West)	Westbound	Birchview
Basin (East)	Eastbound	Birchview
Basin (West)	Eastbound	Birchview
Birchview	Northbound and Southbound	Bloor
Birchview	Northbound and Southbound	Beryl
Lockton	Eastbound and Westbound	Lawson
Limeridge	Eastbound and Westbound	Lockton
Limeridge	Eastbound and Westbound	Lawnview
Limeridge	Eastbound and Westbound	Manning
Goldstrum	Westbound	Ridge
Ridge	Northbound and Southbound	Goldstrum
Ridge	Northbound and Southbound	Victor (North)
Limeridge	Eastbound and Westbound	Hawkridge
Aldridge (Street)	Westbound	Hawkridge
Aldridge (Court)	Eastbound	Hawkridge
Aldridge	Eastbound and Westbound	Caledon
Hawkridge	Northbound and Southbound	Jameston
Jameston	Eastbound and Westbound	Caledon
Tyrone	Eastbound	Hawkridge
Limeridge	Eastbound and Westbound	Kingfisher."

and by deleting therefrom the following item, namely:-

"Limeridge	Westbound	Kingfisher."

2. This by-law shall come into force and take effect on the 1st day of July, 1997.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. A-19

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Limeridge	Both	Bonaventure to Kingfisher	Anytime
Limeridge	North	Kingfisher to easterly end	Anytime
Limeridge	Both	westerly end, west of Upper Sherman to Mountain Brow	Anytime."

and by deleting therefrom the following items, namely:-

"Limeridge	Both	Upper Wellington to easterly end	Anytime
Limeridge	Both	Upper James to Upper Wellington	Anytime
Limeridge	Both	Upper James to Bonaventure	Anytime."

2. **Schedule 37 (Snow Routes)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Limeridge	Both	Garth	West 5th
Limeridge	Both	Upper Ottawa	Mountain Brow."

and by deleting therefrom the following item, namely:-

"Limeridge	Both	Garth	Mountain Brow."

3. This by-law shall come into force and take effect on the 1st day of July, 1997.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. A-20

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (Hamilton Street Railway Bus Routes)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following items, namely:-

"Limeridge Road	Garth Street	West 5th Street
Limeridge Road	Upper Ottawa Street	Mountain Brow Blvd."

and by deleting therefrom the following items, namely:-

"Kingfisher Drive	Limeridge Road	Upper Wentworth
Limeridge Road	Garth	Kingfisher Drive
Limeridge Road	Upper Wentworth	Mountain Brow Blvd."

2. This by-law shall come into force and take effect on the 22nd day of June, 1997.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. A-21

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following items, namely:-

"Limeridge at Ridge

Limeridge at Maitland

Limeridge at Upper Wellington

Limeridge at Flamingo

Kingfisher, 100 feet west of Upper Wentworth

Kingfisher at Finch

Kingfisher at Limeridge

Kingfisher, 100 ' north of Limeridge

Kingfisher at Sparrow

Kingfisher at Upper Wentworth

Limeridge at Upper Sherman

Limeridge at Lawnview

Limeridge at Lockton

Limeridge at Upper Gage

Limeridge at Birchview

Limeridge at Brewster

Limeridge at Berrisfield

Limeridge at Upper Ottawa

Limeridge at Upper James

Limeridge at Garth (MB)

Limeridge at #617 (MB)

Limeridge, 810 feet east of Upper Wentworth (MB)."

and by deleting from the **"Inbound"** column the following items, namely:-

"Limeridge opposite Lynbrook (MB)

Limeridge at Upper James

Limeridge opposite Ridge

Kingfisher, 30 feet south of Heron

Kingfisher opposite Dove (MB)

Limeridge opposite Berrisfield

Limeridge opposite Brewster

Limeridge opposite Birchview

Limeridge at Upper Gage

Limeridge opposite Lockton

Limeridge opposite Lawnview

Limeridge at Upper Sherman

Limeridge opposite #617 (MB)

Limeridge opposite Flamingo

Limeridge at Upper Wellington

Limeridge opposite Maitland

Limeridge opposite Ridge

Limeridge at West 5th

Limeridge (S/S) 276 feet west of the west curb line of Rockingham (M/B)

Limeridge, south side, 97 feet east of the east curb line of Leggett (east leg), F/S."

2. This by-law shall come into force and take effect on the 22nd day of June, 1997.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. A-22

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Bonaparte	Eastbound and Westbound	Fusilier
Alexander	Eastbound	Reginald
Fay	Northbound	Organ."

2. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Balmoral	West	commencing at Cannon and extending 57 feet northerly therefrom	Anytime
St. Joseph's	North	commencing 469 feet east of John and extending 58 feet easterly therefrom	Anytime
Maplewood	South	Blake to 50 feet easterly	Anytime
Balmoral	East	Cannon to 148 feet northerly	Anytime."

and by deleting therefrom the following item, namely:-

"Hunter	South	James to MacNab	4-6 p.m.	Mon - Fri."

3. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Prospect	East	26 feet	181 feet south of Main	8:00 a.m. - 8:00 p.m. Monday to Friday."

and by deleting therefrom the following item, namely:-

"Parkview	West	19 feet	59 feet north of Franklin	Anytime."

PASSED this day of A.D. 1997.

CITY CLERK

MAYOR

BILL NO. A-23

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72, To Regulate Traffic,passed on the 28th day of February, 1989, is hereby amended by adding to **Part 3(a)** thereof the following item, namely:-

"Balmoral	West	commencing 57 feet north of Cannon and extending 36 feet northerly therefrom."

2. **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Strathcona	West	Tom to 134 feet northerly	3 hr	8 am - 5 pm	Mon - Fri
Strathcona	East	Tom to York	1 hr	8 am - 5 pm	Mon - Fri
Strathcona	West	commencing 134 feet north of Tom and extending to York	1 hr	8 am - 5 pm	Mon - Fri
Tom	North	Strathcona to 173 feet westerly	3 hr	8 am - 5 pm	Mon - Fri
Tom	South	Strathcona to Dundurn	1 hr	8 am - 5 pm	Mon - Fri
Tom	North	commencing 173 feet west of Strathcona and extending to Dundurn	1 hr	8 am - 5 pm	Mon - Fri
Bond	East	King to 133 feet northerly	3 hr	8 am - 6 pm	Mon - Fri
Bond	East	commencing 133 feet north of King and extending to Glen	1 hr	8 am - 6 pm	Mon - Fri
Bowman	East	Westwood to the T. H. & B. Railway	1 hr	8 am - 6 pm	Mon - Fri
Bowman	West	Sussex to the T.H. & B. Railway	1 hr	8 am - 6 pm	Mon - Fri."

and by deleting therefrom the following items, namely:-

"Strathcona	Both	Tom to York	1 hr	8 am - 5 pm	Mon - Fri
Tom	Both	Strathcona to Dundurn	1 hr	8 am - 5 pm	Mon - Fri
Bond	East	King to Glen	1 hr	8 am - 6 pm	Mon - Fri
Bowman	Both	Main to T. H. & B. Railway	1 hr	8 am - 6 pm	Mon - Fri."

3. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Rosslyn	East	Lawrence to Justine	Anytime
Bowman	East	Main to Westwood	Anytime
Kinrade	East	Barton to 132 feet southerly	Anytime
Kinrade	West	Barton to 142 feet southerly	Anytime."

and by deleting therefrom the following items, namely:-

"Kinrade	East	Barton to 167 ft. southerly	Anytime
Kinrade	West	Barton to 191 ft. southerly	Anytime
Balmoral	West	Cannon to 150' north	Anytime."

4. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Montmorency Drive (East Leg) Mount Albion Road to Northerly End	West	East
Rosslyn Avenue South Justine Avenue to King Street East	East	West."

and by deleting therefrom the following items, namely:-

"Montmorency Drive (East Leg) End to End	West	East
Rosslyn Avenue South Lawrence Road to King Street East	East	West."

5. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Earl	West	commencing 218 feet south of Princess and extending 22 feet southerly therefrom	Anytime
Cope	East	commencing 133 feet south of the northerly end and extending 18 feet southerly therefrom	Anytime
Royal	South	commencing 231 feet west of Emerson and extending 24 feet westerly therefrom	Anytime
Sanford	West	commencing 147 feet north of Barton and extending to the south curb line of Myler	Anytime
Shaw	North	commencing 186 feet east of Victoria and extending 18 feet easterly therefrom	Anytime."

6. **Schedule 37 (Snow Routes)** of said By-law is hereby amended by deleting therefrom the following items, namely:-

"Franklin	Both	Longwood	Uplands
Norwood	Both	Longwood	Franklin
Uplands	Both	Franklin	Norwood."

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

Bill No. A-24

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 35, PLAN 62M-760
INTO ADELE COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Adele Court within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Adele Court

   All of Block 35 on Plan 62M-760

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A- *25*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 29, PLAN 62M-793
INTO WESTVILLAGE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Westvillage Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Westvillage Drive

   All of Block 29 on Plan 62M-793

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-26

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK FX ON PLAN M-129 AND PART 1 ON PLAN 62R-12403
INTO DUNCAIRN CRESCENT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Duncairn Crescent within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Duncairn Crescent

   All of Block FX on Plan M-129 & Part of Block EX on Plan M-129 designated as Part 1 on Plan 62R-12403.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-27

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO STOP-UP, CLOSE AND RETAIN PORTIONS OF JEREMY STREET DESIGNATED AS PARTS 1 & 2 ON PLAN 62R-14037

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 38 of the 16th Report of the Transport and Environment Committee on 1996 December 10 authorized the City to stop-up, close and retain the above described portions of Jeremy Street.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portions of Jeremy Street described as;
   Parts 1 & 2 on Plan 62R-14037 being part of Jeremy Street as laid out by Registered Plan 1053.

   City of Hamilton
   Regional Municipality of Hamilton-Wentworth

   Are hereby stopped-up and closed.

PASSED this day of A.D. 1997

City Clerk Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593

1. **TO DEFINE "CHARITY GAMING CLUB", "TABLE GAMES" AND "VIDEO LOTTERY TERMINALS (VLT)"**
2. **TO PERMIT A CHARITY GAMING CLUB AND VIDEO LOTTERY TERMINALS WITHIN THE DOWNTOWN AREA**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 6th Report of the Planning and Development Committee at its meeting held on the 8th day of April 1997, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law to define "charity gaming club", "table games" and "video lottery terminals (VLT)" and to define the Areas within which the said uses may be permitted, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Zoning By-law No. 6593 is amended by adding a new Schedule "M", annexed hereto as Schedule "A" and forming part of this by-law, as follows:

"Schedule "M" to Zoning By-law No. 6593 - Location of Charity Gaming Clubs"

2. Section 2.(2)D. of Zoning By-law No. 6593 is amended by adding the following new definition:

"(ibb) **"Charity Gaming Club"** shall mean any premises or parts thereof, containing table games and/or video lottery terminals.

For the purpose of this subclause;

(a) **"Table Games"** shall mean games played at a Charity Gaming Club and shall include blackjack, baccarat, roulette, poker and any other such games approved by the Gaming Control Commission; and

(b) "**Video Lottery Terminals**" shall mean machines or devices that allow a person to play a lottery scheme upon payment of money where that play may result in the receipt of a credit that can be redeemed for further play or money. Provided that, video lottery terminals are only permitted and used in conjunction with a charity gaming club."

3. Section 14 of Zoning By-law No. 6593 is amended by adding the following subclause:

"14.(1)(xviib) A charity gaming club, provided that:

(a) it is located within the Area shown on Schedule "M"; and,

(b) no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is

(i) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use; and

(ii) not interrupted by or projected into or through, any area otherwise,

A. accessory, incidental, allocated to or continuous with the charity gaming club, or

B. within any area devoted to the charity gaming club."

4. Section 15 of Zoning By-law No. 6593 is amended by adding the following subclause:

"15.(1)(xiva) A charity gaming club, provided that:

(a) it is located within the Area shown on Schedule "M"; and,

(b) no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is

(i) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use; and

(ii) not interrupted by or projected into or through, any area otherwise,

A. accessory, incidental, allocated to or continuous with the charity gaming club, or

B. within any area devoted to the charity gaming club."

5. Section 15A of Zoning By-law No. 6593 is amended by adding the following subclause:

"15A.(1)(xxiiia) A charity gaming club, provided that:

(a) it is located within the Area shown on Schedule "M"; and,

(b) no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is

(i) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use; and

(ii) not interrupted by or projected into or through, any area otherwise,

A. accessory, incidental, allocated to or continuous with the charity gaming club, or

B. within any area devoted to the charity gaming club."

6. Section 15B of Zoning By-law No. 6593 is amended by adding the following paragraph:

"15B.(3)(b) 21. A charity gaming club, provided that:

1. it is located within the Area shown on Schedule "M"; and,

2. no institutional or residential uses, except a hotel, are permitted within the same building, unless such institutional or residential use, is

(a) functionally completely segregated from the charity gaming club, including pedestrian movement to and from such residential or institutional use, referred to in clauses (a) and (c) of this subsection; and,

(b) not interrupted by or projected into or through, any area otherwise,

(i) accessory, incidental, allocated to or continuous with the charity gaming club, or

(ii) within any area devoted to the charity gaming club."

7. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

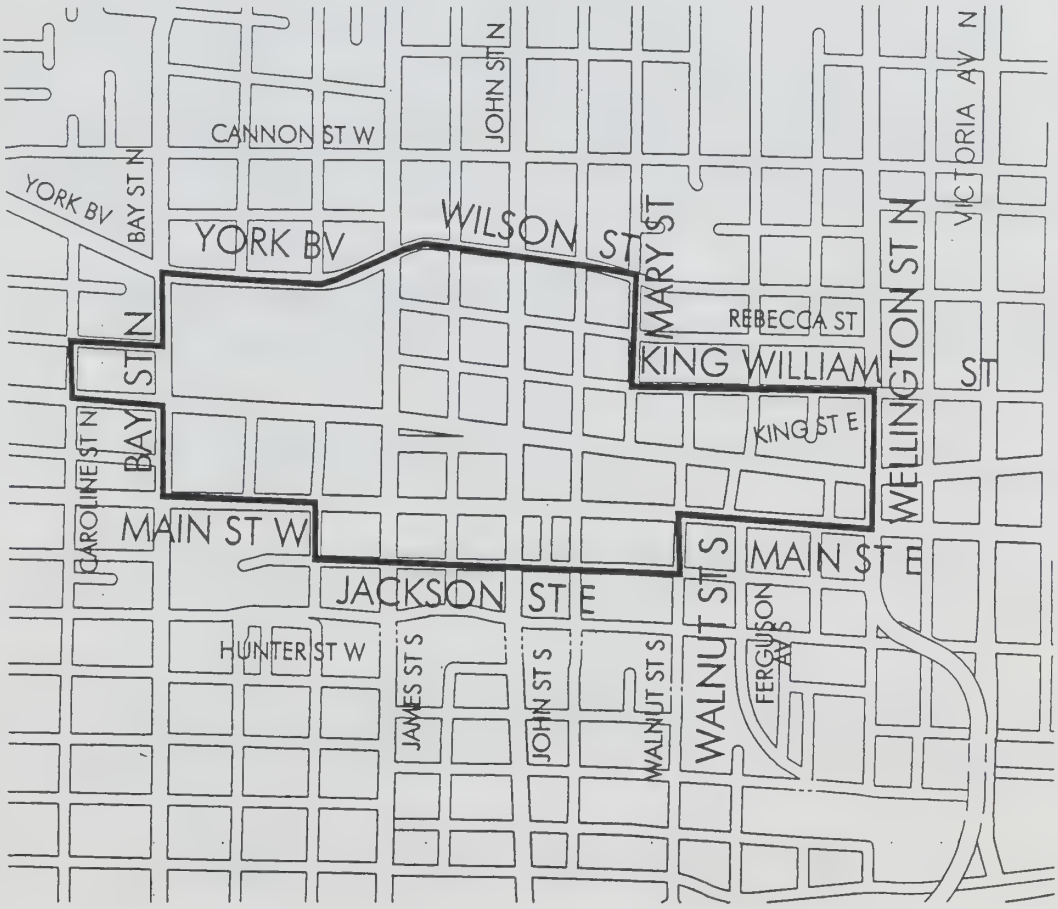
8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 6 R.P.D.C. 1, April 8
City Initiative 96-G

Schedule "M" to Zoning By–Law No. 6593



This is Schedule "A" to By–Law No. 97–.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By–Law No. 97– ___

to Amend By–Law No. 6593

Planning and Development Department

Legend

LOCATION OF CHARITY GAMING CLUBS (Refer to specific districts in Zoning By–Law)

North	Scale	Reference File No.
	NOT TO SCALE	C196–G
	Date	Drawn By
	April 23, 1997	W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 350-360 KING STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "CR-3" (Commercial-Residential) District provisions, as contained in Section 15B. of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 15B.(3)(a) of Zoning By-law No. 6593, the following uses shall be permitted within the second or third floors of the existing building:

(i) a senior citizens facility containing a maximum of seventy-five (75) "housekeeping dwelling units" shall be located within the second floor;

(ii) dining rooms used in conjunction with the senior citizens facility shall be located on the second floor;

(iii) lounges, common spaces, kitchens, laundry facilities, chapel and offices used in conjunction with the senior citizens facility shall be located within the third floor;

(b) notwithstanding Section 15B.(17)(b) of Zoning By-law No. 6593, the residential portion of a joint residential use and commercial use shall have a gross floor area of not more than 31,100 m^2 (334,757 sq.ft.) and a commercial gross floor area of not more than 6,055 m^2 (65,177 sq.ft.);

(c) Subsections 15B.(18)(a)(i) and 15B.(18)(a)(ii) of Zoning By-law No. 6593 shall not apply for the purposes of calculating gross floor area;

(d) notwithstanding Table 1 of Section 18A. of Zoning By-law No. 6593, a minimum of 1 parking space per 3 persons who may be lawfully accommodated shall be required for a senior citizens facility containing not more than seventy-five (75) "housekeeping dwelling units";

(e) for the purpose of this By-law, a senior citizens facility means a facility within which all residents are at least 60 years of age or older.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "CR-3" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1375.

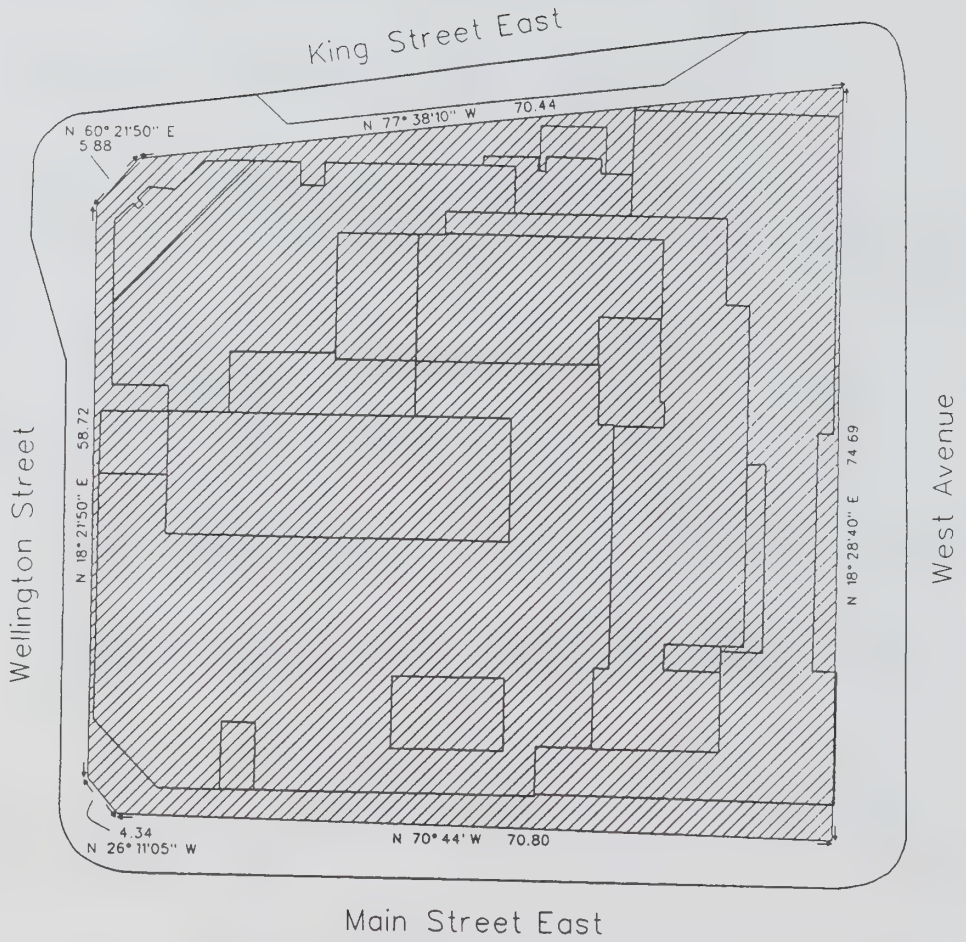
4. Sheet No. E-13 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1375.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 3 R.P.D.C. 2, February 25
First Place Hamilton, Owner
ZAC-96-16



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of By-Law No. 97-____

Planning and Development Department

Legend

Modification to the established "CR-3" (Commercial-Residential) District Regulations.

North	Scale	Reference File No.
	NOT TO SCALE	ZA-96-16
	Date	Drawn By
	March 1997	J.M.

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend By-law No. 97-026

Respecting:

A BY-LAW TO REGULATE THE SIZE, USE, LOCATION AND MAINTENANCE OF MOBILE SIGNS ON PRIVATE PROPERTY WITHIN THE CITY OF HAMILTON

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof;

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic;

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape;

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes;

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-026 on the 11th day of February 1997 to regulate the size, use, location and maintenance of mobile signs on private property within the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 6 of the 7th Report of the Planning and Development Committee at its meeting held on the 29th day of April 1997, recommended that By-law No. 97-026 be amended as hereinafter provided.

NOW THEREFORE the Council for The Corporation of the City of Hamilton enacts as follows:

1. Section 29 of By-law No. 97-026 is amended by deleting the phrase "12th day of May" in the first line and substituting therefor the phrase "13th day of June".

2. In all other respects, By-law No. 97-026 is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill NO. *D-16*

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE RATES OF TAXATION FOR MUNICIPAL PURPOSES FOR THE YEAR 1997

WHEREAS the Estimates for the year 1997 which set forth the revenues and expenditures of the Corporation of the City of Hamilton, were approved by the Council of the Corporation of the City of Hamilton on March 3, 1997 and

WHEREAS it is necessary to impose rates of taxation for the year 1997,

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows:

1. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of $1,003,603,219.00, of which $609,386,915.00 is Residential assessment and $394,216,304.00 is Non-residential assessment, the following rates of taxation:

(1) For general municipal purposes 123.6957 mills producing	$124,141,400.00
(2) The amount to be levied and raised against "residential" assessments in the amount of $609,386,915.00 as required by the Municipal Act shall be reduced by $11,306,810.00 or 18.5544 mills in accordance with Section 9(3a) of the Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38 . .	$ 11,306,810.00
	$112,834,590.00

2. The rate to be levied against "residential" assessments as required by the Municipal Act for Municipal purposes is 105.1413 mills on the dollar.

3. The rate to be levied against "non-residential" assessments as required by the Municipal Act for Municipal purposes is 123.6957 mills on the dollar.

4. This by-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1997

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to the Corporation of the City of Hamilton for $129,727,057.00 representing the Corporation of the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1997.

WHEREAS after the deduction of $9,559,600.00 of 1997 estimated shared revenues, the funds for which have been provided in the Corporation of the City of Hamilton 1997 Estimates, and the addition of the 1996 underlevy in the amount of $96,554.00, it is intended to levy against the ratepayers of the Corporation of the City of Hamilton the resulting net amount of $120,264,010.00 for the year 1997.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1997 levy, in the amount of $129,727,057.00 is hereby adopted as part of the 1997 Estimates of the Corporation of the City of Hamilton.

2. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of $1,003,603,219.00 of which $609,386,915.00 is Residential assessment and $394,216,304.00 is Non-residential assessment, the following rates of taxation:

(1) for Regional purposes 131.8402 mills producing	$132,315,250.00
(2) the amount to be levied and raised against "residential" assessments in the amount of $609,386,915.00 as required by the Municipal Act shall be reduced by $12,051,240.00 or 19.7760 mills in accordance with Section 9(3a) of the Ontario Unconditional Grants Act, R.S.O. 1990, Chapter O.38	$ 12,051,240.00
	$120,264,010.00

(3) the rate to be levied against "residential" assessments as required by the Municipal Act for Regional purposes is 112.0642 mills on the dollar

(4) the rate to be levied against "non-residential" assessments as required by the Municipal Act for Regional purposes is 131.8402 mills on the dollar

3. this by-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

BILL NO. *D-18*

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES FOR THE YEAR 1997

WHEREAS the estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for school purposes, have been submitted to the Finance and Administration Committee of the Corporation of the City of Hamilton.

WHEREAS it is necessary to impose rates of taxation for the year 1997 for school purposes.

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows,

1. That there shall be levied and raised on the whole of the rateable property located within the geographic limits of the City of Hamilton in the amount of $1,003,603,219.00, of which $609,386,915.00 is Residential assessment and $394,216,304.00 is Non-residential assessment, the following rates of taxation,

(a) for Public School elementary purposes 166.4181 mills on all rateable property in the amount of $735,043,520.00, of which $435,505,670.00 is Residential assessment and $299,537,850.00 is Non-residential assessment, liable for Public School rates as requested to be levied by the Board of Education for the City of Hamilton producing	$122,324,540.00
(b) for Separate School elementary purposes 166.4181 mills on all rateable property in the amount of $268,559,699.00, of which $173,881,245.00 is Residential assessment and $94,678,454.00 is Non-residential assessment, liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing	44,693,200.00
(c) for Public School secondary purposes 76.6943 mills on all rateable property in the amount of $735,043,520.00 of which $435,505,670.00 is Residential assessment and $299,537,850.00 is Non-residential assessment, liable for Secondary School rates as requested to be levied by the Board of Education for the City of Hamilton producing	56,373,650.00

(d)	for Separate School Secondary purposes 76.6943 mills on all rateable property in the amount of $268,559,699.00 of which $173,881,245.00 is Residential assessment and $94,678,454.00 is Non-residential assessment liable for Separate School rates as requested to be levied by the Hamilton-Wentworth Roman Catholic Separate School Board producing	20,597,000.00
		$243,988,410.00
(e)	The amount to be levied and raised against "residential" assessments in the amount of $435,505,670.00 determined as required by the Municipal Act shall be reduced by $10,871,400.00 or 21.2701 mills which is the amount of the estimated revenue from payments to be received by the Board of Education for the City of Hamilton in 1997 for elementary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	$ (10,871,400.00)
(f)	The amount to be levied and raised against "residential" assessments in the amount of $173,881,245.00 as required by the Municipal Act shall be reduced by $4,340,550.00 or 24.9627 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1997 for elementary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	(4,340,550.00)
(g)	The amount to be levied and raised against "residential" assessments in the amount of $435,505,670.00 determined as required by the Municipal Act shall be reduced by $5,010,100.00 or 11.5041 mills which is the amount of the estimated revenue from payments to be received by the Board of Education for the City of Hamilton in 1997 for secondary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	(5,010,100.00)
(h)	The amount to be levied and raised against "residential" assessments in the amount of $173,881,245.00 determined as required by the Municipal Act shall be reduced by $2,000,350.00 or 11.5041 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1997 for secondary school purposes under the Education Act, R.S.O. 1990, Chapter E. 2	(2,000,350.00)
		$221,765,990.00

2. The Education rate to be levied against "residential" assessments as required by the Municipal Act for:

(a) Public School supporters is 206.6456 mills on the dollar, and

(b) Separate School supporters is 206.6456 mills on the dollar.

3. The Education rate to be levied against "non-residential" assessments as required by the Municipal Act for:

(a) Public School supporters is 243.1124 mills on the dollar, and

(b) Separate School supporters is 243.1124 mills on the dollar.

4. The By-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

BILL NO. *D-19*

The Corporation of the City of Hamilton

BY-LAW NO. 97-

TO FIX THE TOTAL RATES OF TAXATION FOR MUNICIPAL, REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1997

WHEREAS the Council of the Corporation of the City of Hamilton has approved By-laws 97- , 97- and 97- being By-laws to impose rates of taxation for the year 1997 for:

(a) Municipal purposes

(b) Regional purposes

(c) Education purposes

AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments as required by the Municipal Act:

   (a) by Public School supporters is 423.8511 on the dollar, and

   (b) by Separate School supporters is 423.8511 on the dollar.

2. The total rate to be levied against "non-residential" assessments as required by the Municipal Act:

   (a) by Public School supporters is 498.6483 on the dollar, and

   (b) by Separate School supporters is 498.6483 on the dollar.

3. This By-law comes into force on the date on which it is enacted by the Council of the Corporation of the City of Hamilton.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

BILL NO. D-20

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Levy:

AN ANNUAL TAX ON TELEPHONE COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA

WHEREAS Section 159 of the Municipal Act, R.S.O. 1990, Chap. M.45, empowers the Council of the Corporation of the City of Hamilton to levy on every telephone company doing business in the City of Hamilton an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of the City of Hamilton is in the amount of $128,277,436.00 the year ended the 31st day of December, 1996;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1997, be levied on the Bell Telephone Company of Canada Limited in the amount of $6,413,871.80.

2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section . . . 382 of the Municipal Act on all the lands of the Bell Telephone Company of . . . . . Canada.

PASSED this day of A.D., 1997.

CITY CLERK **MAYOR**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97 -

TO AUTHORIZE THE AMENDMENT OF BY-LAW NO. 9430

IN RESPECT OF THE EXPROPRIATION OF CERTAIN LANDS

WHEREAS by By-law 9430 entitled "A By-Law to Expropriate Certain Lands in the area bounded by King Street East, Highway #20, the Mountain Brow and King Forest Park in connection with Sewers and Watercourses" enacted on the 8th day of August, 1961, The Corporation of the City of Hamilton expropriated the parcels of land therein described; and

AND WHEREAS it is now deemed expedient to release a portion of the fourthly described parcel of land, described in Schedule "A" attached hereto, from expropriation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law 9430 is hereby amended to delete reference to a portion of the fourthly described parcel of land in its entirety; and

2. The City Solicitor is hereby authorized to register the herein by-law on title to the lands described in Schedule "A" attached hereto.

PASSED this day of April A.D. 1997

CITY CLERK MAYOR

(1997) * R.F.A.C. *, Apr. 29, 1997

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Province of Ontario and being composed of Parcel E, Plan 597, save and except Part 1, on Reference Plan No. 62R-8118 and Part 1, on Reference Plan No. 62R-6273

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend By-law No. 7530

THE SICK LEAVE BY-LAW

WHEREAS By-law No. 7530 was enacted on the 26th day of April 1955 under Paragraph 49 of Section 386 of The Municipal Act, R.S.O. 1950, Chapter 243.

AND WHEREAS Section 14 of By-law No. 7530 only authorizes the use of down to one half day of an employee's sick leave allowance;

AND WHEREAS City Council, on the 29th day of April, 1997, in adopting Section 8 of the 8th Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 14 of By-law No. 7530 is repealed and replaced with the following:

> 14. The number of days or parts of a day down to 1/10 of a day for which an employee receives sick pay shall be deducted from the employee's cumulative sick leave credit.

2. By-law No. 7530 is amended by the addition of the following section:

14.A (1) Where an employee has experienced an occurrence under the Attendance Management System, which would otherwise result in the employee receiving 90% of the employee's salary, the employee may utilize the employee's sick leave allowance and withdraw a part of a day down to 1/10 of a day from the employee's sick leave allowance to restore the employee's pay to a full day.

(2) Where an employee is on the Short Term Disability Income Replacement or Long Term Disability Income Replacement plans and does not receive full pay, the employee may utilize the employee's sick leave allowance and withdraw the appropriate part of a day, down to 1/10 of a day, from the sick leave allowance to restore the employee's pay to a full day.

3. This By-law is deemed to be effective on November 12, 1996.

PASSED this 29th day of April , 1997.

CITY CLERK MAYOR

Bill No. D-23

The Corporation of the City of Hamilton

By-law No. 97-

To Amend

By-law No. 96-039

Respecting:

CULTURE AND RECREATION DEPARTMENT USER FEES

WHEREAS By-law No. 96-039 was enacted on March 26, 1996 to establish user fees for the Culture and Recreation Department;

AND WHEREAS Council, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized changes to the Culture and Recreation Department fees;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "C" of By-law No. 96-039 is repealed and replaced by Schedule "C" attached to this By-law.

2. Schedule "D" of By-law No. 96-039 is repealed and replaced by Schedule "D" attached to this By-law.

3. Schedule "E" to By-law No. 96-039 is amended by changing the Adult Rates for the Minor Sports Facilities to the following amounts:

MINOR FACILITIES - ADULT

Weekdays	$5.50 per hour
Weekend Days - less than six hours	$5.50 per hour
Weekend days - more than six hours	$5.50 per hour

There is no maximum rate per field per season.

4. Schedule "F" of By-law No. 96-039 is repealed and replaced by Schedule "F" attached to this By-law.

5. Schedule "H" of By-law No. 96-039 is repealed and replaced by Schedule "H" attached to this By-law.

6. Schedule "J" of By-law No. 96-039 is repealed and replaced by Schedule "J" attached to this By-law.

PASSED this day of 1997.

CITY CLERK MAYOR

SCHEDULE "C" TO BY-LAW NO. 97-

USER FEE SCHEDULE FOR ARENA RENTALS - 1997

WINTER (Oct. 1-May 1)		1997 RATE
Recreational House League Hockey		$ 55
Hub Hockey		$ 63
Rep. Hockey		$ 70
Ringette		$ 63
Sledge Hockey		$ 55
Can Skate/Figure Skating Clubs		$ 80
Power Skating		$135
Private Rentals:	Prime Time	$135
	Non-Prime	$ 90
Tournament: Youth		$ 80
Adult		$135
Department Affiliated Organizations		$ 85
Year Round Figure Skating Practice Card		$ 70

CHEDOKE TWIN PAD RATES (Oct. 1-May 1)

Recreational House League Hockey		$ 55
Hub Hockey		$ 63
Rep. Hockey		$ 70
Ringette		$ 63
Sledge Hockey		$ 55
Can Skate/Figure Skating Clubs		$ 80
Power Skating		$135
Private Rentals:	Prime Time	$160
	Non-Prime	$130
Tournament: Youth		$106
Adult		$106
Department Affiliated Organizations		$ 85
Year Round Figure Skating Practice Card		$ 70

.../2

SUMMER CHEDOKE TWIN PAD ARENA (May 1 - Oct. 1)

			1997 RATE
Adult	Non-Prime	6a.m.-5p.m. weekdays	$130
	Prime Time	5p.m.-2:00a.m.	$160
	Weekends	6a.m.-2:00a.m.	$160
Youth	Non-Prime	6a.m.-5p.m. weekdays	$106
	Prime Time	5p.m.-2:00a.m.	$106
	Weekends	6a.m.-2:00a.m.	$106

ARENAS SUMMER SURFACE (NON-ICE) (May 1-Sept. 30)

Men's Ball Hockey:	Youth	$ 35
	Adult	$ 50
In-Line Skating:	Youth	$ 35
	Adult	$ 50
Lacrosse:	Youth	$ 35
	Select	$ 45
Tournaments:		$ 60

ARENAS SUMMER ICE:

Youth	$106
Adult	$155
Tournament Youth	$106
Adult	$155

Hamilton Civic Golf Courses 1997 Rates & Fees

Chedoke-Martin (only)	1997
Adult	$645
Adult - non-resident	$745
Couples	$1,190
Couples-non- resident	$1,290
Family	$1,340
Family - non-resident	$1,440
Junior	$150
Junior - non-resident	$250
Intermediate	$400
Intermediate - non-resident	$500
Pensioner	$430
Pensioner - non-resident	$530
Weekday Only (5 Days)	$430
Weekday Only - non-resident	$530

King's Forest (only)	1997
Adult	$950
Adult - non-resident	$1,050
Couples	$1,800
Couples-non- resident	$1,900
Family	$2,000
Family - non-resident	$2,100
Junior	$250
Junior - non-resident	$350
Intermediate	$570
Intermediate - non-resident	$670
Pensioner	$665
Pensioner - non-resident	$765
Weekday Only (5 Days)	$665
Weekday Only - non-resident	$765

City-Wide Membership	1997
Adult	$1,050
Adult - non-resident	$1,150
Couples	$2,000
Couples-non- resident	$2,100
Family	$2,300
Family - non-resident	$2,400
Junior	$350
Junior - non-resident	$450
Intermediate	$630
Intermediate - non-resident	$730
Pensioner	$735
Pensioner - non-resident	$835
Weekday Only (5 Days)	$735
Weekday Only - non-resident	$835

Chedoke - Beddoe (only)	1997
Adult	$850
Adult - non-resident	$950
Couples	$1,600
Couples-non- resident	$1,700
Family	$1,800
Family - non-resident	$1,900
Junior	$250
Junior - non-resident	$350
Intermediate	$510
Intermediate - non-resident	$610
Pensioner	$595
Pensioner - non-resident	$695
Weekday Only (5 Days)	$595
Weekday Only - non-resident	$695

Chedoke - Martin/Beddoe	1997
Adult	$900
Adult - non-resident	$1,000
Couples	$1,700
Couples-non- resident	$1,800
Family	$2,000
Family - non-resident	$3,000
Junior	$300
Junior - non-resident	$400
Intermediate	$540
Intermediate - non-resident	$640
Pensioner	$630
Pensioner - non-resident	$730
Weekday Only (5 Days)	$630
Weekday Only - non-resident	$730

GREEN FEES

Chedoke - Beddoe	1997
18 Holes	$28.00
Pensioner/Jr.	$21.00
Twilight	$19.00
Chedoke - Martin	
18 Holes	$24.00
Pensioner/Jr	$17.00
Twilight	$15.00
King's Forest	
18 Holes	$30.00
Pensioner/Jr	$23.00
Twilight	$21.00

SCHEDULE "F" TO BY-LAW NO. 97-

USER FEE SCHEDULE - 1997

(a) **CAMP KIDACA 6 (Beach Strip)**

That the registration fee for the Beach Strip location of Camp Kidaca be increased as follows,

$50.00 for the four day week with the July 1st statutory holiday; and
$60.00 for all other weeks.

(b) **COMMUNITY ACTIVITIES PROGRAM & CANADIAN MENTAL HEALTH ASSOCIATION**

Recreation Centre Membership	$5.00 per day Plus Recreational Centre Membership

(c) **COOPERATIVE NURSERY SCHOOLS**

$5.00 per half day until September 1, 1997
$10.00 per half day starting on September 1, 1997

* ***NOTE**: G.S.T. is included in the above rates.*

SCHEDULE "H" TO BY-LAW NO. 97-

USER FEE SCHEDULE FOR MUSEUMS - 1997

FACILITY	CATEGORY	1997 RATE
Dundurn Includes Military Museum Admission	Adult	$ 6.00
	Senior	$ 5.50
	Student	$ 5.00
	Child	$ 2.50
	Family	$16.00
Military Museum	Adult	$ 2.00
	Senior	$ 1.75
	Student	$ 1.75
	Child	$ 1.50
Steam Museum	Adult	$ 3.50
	Senior	$ 3.00
	Student	$ 2.50
	Child	$ 2.00
	Programmes (Full Day)	**$ 4.00 (New)**
	Family	$10.00
Whitehern	Adult	$ 3.50
	Senior	$ 3.00
	Student	$ 2.50
	Child	$ 2.00
	Family	$10.00
Children's Museum	Child	$ 2.50
	Adult Accompanying Child	Free
	Adult/Other (14 years and over)	**$ 1.00 (New)**
	Friends Membership	$ 5.00
	Adult Pass (All Museums)	**$10.00 (New)**

SCHEDULE "J" TO BY-LAW NO. 97-

USER FEE SCHEDULE FOR SWIMMING POOL RENTALS - 1997

Indoor Pool Rentals: **(General Public / Occasional)**

Non-prime time (Weekdays opening to 4:30 p.m.) per hour	$50.00
Prime time (Weekdays 4:30 p.m. - closing, all weekend hours): per hour	$85.00

Indoor Pool Rentals: **(Clubs and Weekly Use Groups)**

Youth:	$20.00 per hour
Adult:	$40.00 per hour

The above rates include two lifeguards. A rate of $20.00 per hour will be applied to each additional lifeguard as required.

Existing rates for hot pool rentals and fees for the slide at Huntington Park are to remain the same.

** G.S.T. is included in the above fees.*

The above rates include two lifeguards and apply to regularly scheduled club times. Additional events/periods beyond the norm will require that, at the supervisor's discretion, the group pay the total cost of lifeguard staff plus the rental rate. A rate of $20.00 per hour will be applied to each additional lifeguard as required.

Bill No. D-24

The Corporation of the City of Hamilton

BY-LAW NO. 97-

Respecting:

TARIFF OF PLANNING FEES

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13 requires the Council of the Corporation of the City of Hamilton to prescribe a tariff of fees by by-law;

AND WHEREAS the Rental Housing Protection Act, R.S.O. 1990, Chapter R.24 requires the council of the municipality to prescribe a tariff of fees by by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole Committee, authorized this by-law;

AND WHEREAS Section 220 of the Municipal Act authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided on behalf of, or done by, the municipality;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The amount of the fee for each application referred to below shall be as follows:

(1) Application to Council by any person to initiate an amendment to the Official Plan under Section 17

(i) Phase 1 - Services up to the City Council Report $1,145.00

(ii) Phase 2 - Services subsequent to the Council resolution approving the application . . . . . $ 625.00

(2) Application to Council by any person to initiate a Zoning By-law under Section 34 (1) of the Planning Act

(i) A routine application . . . . . $ 885.00

(ii) A complex application

(a) Phase 1 - Services up to the City Council Report $1,145.00

(b) Phase 2 - Services subsequent to the Council Resolution approving the application . . . . . $ 625.00

(3) Application by any person to initiate an application for the purpose of,

(i) site plan control under Section 41 . . . . . $1,140.00

(ii) revision to site plan control under Section 41 . . . . . $ 420.00

(iii) preliminary preview of a site plan . . . . . $ 420.00

(iv) processing a request for site plan approval exemption . . . . . $ 80.00

(4) Application for the approval of a Plan of Subdivision under Section 51 of the Planning Act,

(i) Simple - where no other approvals are required . . . . . $ 560.00

(ii) Complex - where the Official Plan or Neighbourhood Plan or other approvals are required $1,020.00

(5) Application for the approval of a Plan of Condominium,

(i) for a newly constructed building, where The Regional Municipality of Hamilton-Wentworth approves the plan . . . . . $ 560.00

(ii) for a building being converted to a condominium, to be approved by the City of Hamilton

(a) a base fee of $1,000.00

plus

$20.00 per unit to a maximum of 40 units ($800.00),

(b) where the application receives approval, an additional fee for processing the final approval and registration . . . . . $ 250.00

(6) Application for a revision to a Plan of Subdivision or a Plan of Condominium . . . . . $ 355.00

(7) Application for an extension of an approved draft Plan of Subdivision . . . . . $ 180.00

(8) (i) Application for an exemption of part lot control under Section 50(7) of the Planning Act . . . . . $ 500.00

(ii) Application for an extension of Part Lot Control By-law . . . . . $ 250.00

(9) Property reports with respect to the Official Plan, zoning status, Rental Housing Protection Act and Heritage Designation compliance . . . . . $ 80.00

(10) Request by the applicant or agent of an Official Plan Amendment or Re-zoning application to cancel a public meeting

(i) Fee per public notice recirculation . . . . . $ 255.00

(11) Request for a street name change $4,155.00

(12) Request for the preparation of a Neighbourhood Plan and modified Neighbourhood Plan $1,120.00

(13) Request for municipal street numbers . . . . . $ 80.00

2. The amount of the fee for a Rental Housing Protection Act application shall be as follows:

(1) Phase I - Services up to the City Council Report $4,300.00

(2) Phase II - Services subsequent to the Council resolution approving the application

a base fee of $2,000.00

plus

$20.00 per unit for a condominium conversion application

(3) Despite subsection (1), the fee for a Severance Application only $3,000.00

3. The fees shall be paid at the time of and with the making of an application.

4. No application shall be deemed to have been made, and no application shall be received, unless the fee is paid in accordance with this By-law.

5. The amounts in Sections 1 and 2 of this by-law shall be increased annually by the yearly inflation rate, measured by the Consumer Price Index for Toronto; and the resulting figure shall be rounded off to the nearest five dollar interval.

6. By-law No. 93-243 is repealed.

7. This by-law comes into force on the date of its passage.

PASSED this day of , 1997.

CITY CLERK MAYOR

Bill No. D-25

The Corporation of the City of Hamilton

By-law No. 97-

Respecting:

A BY-LAW TO ENACT USER FEES FOR THE HAMILTON FIRE DEPARTMENT

WHEREAS Section 220 of the Municipal Act authorizes a municipality to enact by-laws to impose fees on any person for services or activities provided on behalf of, or done by, the municipality;

AND WHEREAS Council, on February 25, 1997, in adopting Section 1 of the 1st Report of the Committee of the Whole authorized the fee schedule appearing as Schedule "A" to this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The fees specified by Schedule "A", attached to and forming part of this By-law, are hereby enacted.

PASSED this day of 1997.

CITY CLERK MAYOR

SCHEDULE "A"

HAMILTON FIRE DEPARTMENT
1997 SERVICE FEE SCHEDULE

Item #	Service	Fee (includes G.S.T.)
1	Copy of fire response report	$19.26
2	File searches - outstanding work orders	$40.00 (G.S.T. n/a)
3	Inspection of private home day care facilities	$36.38
4	Inspection of foster care homes with capacity ≤ 4, and group homes with capacity ≤ 3	$36.38
5	Inspection of single family dwellings	$36.38
6	Inspection of two family dwellings	$214.00
7	Inspection of L.L.B.O. licence requests (indoor)	$117.70
8	Inspection of L.L.B.O. licence requests (patio)	$53.50
9	Inspection of foster care homes with capacity > 4, and group homes with capacity > 3	$171.20
10	Inspection of residential buildings ≤ 3 storeys with ≥ 3 units / apartments	$374.50
11	Inspection of residential buildings 4, 5 or 6 storeys	$642.00
12	Inspection of licenced day care centres	$107.00
13	Inspection of non-residential buildings (shopping malls, industrial complexes, etc.) in terms of size / area: ≤ 4 storeys - small size > 4 storeys - small size > 4 storeys - medium size > 4 storeys - large size	 $171.20 $406.60 $481.50 $642.00
14	Inspection of residential buildings > 6 storeys: 6 - 11 storeys 12 - 18 storeys > 18 storeys	 $ 642.00 $ 856.00 $1,070.00
15	Requests for Fire Route establishment - new and review of existing	$160.50
16	Requests for Environmental file searches	$300.00 (G.S.T. n/a)
17	Open-air Burning requests	$107.00
18	Request for clearance/status letters	$20.00 (G.S.T. n/a)

Bill No. D-26

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE CONCESSION STREET BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS COVERING CONCESSION STREET BETWEEN EAST 18TH STREET AND EAST 25TH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 5 of the Twentieth Report of the Planning and Development Committee on December 10, 1996 approved the amount of $10,100.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 83-308.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $10,100.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-144 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$695,208.00
2.	The Mill Rate for the special charge is calculated by:	14.5280
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$10,100.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No. D-27

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

WESTDALE VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING KING STREET WEST AND THE AREA OF THE INTERSECTION OF CLINE AVENUE AND KING STREET WEST AND EXTENDING TO AN AREA WEST OF NEWTON AVENUE AND STERLING STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 8 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $35,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-030.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $35,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-098 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$667,620.00
2.	The Mill Rate for the special charge is calculated by:	52.4250
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$35,000.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No. D-28

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA

GENERALLY COVERING OTTAWA STREET NORTH BETWEEN MAIN STREET EAST AND EXTENDING TO AN AREA NORTH OF BARTON STREET EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 9 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $50,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 86-031.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $50,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-099 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$1,170,963.00
2.	The Mill Rate for the special charge is calculated by:	42.6999
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$50,000.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No. D-29

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

GENERALLY COMPRISED OF LANDS ON THE EAST AND WEST SIDES OF MAIN STREET WEST BETWEEN LOCKE STREET ON THE WEST AND QUEEN STREET ON THE EAST

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 7 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $10,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 90-197.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $10,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 92-078 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $544,136.00

2. The Mill Rate for the special charge is calculated by: 18.3778

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1997 $10,000.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No. D-30

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 6 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $8,760.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 87-178.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $8,760.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property in the area used as the basis for computing business assessment. $367,879.00

2. The Mill Rate for the special charge is calculated by: 23.8122

   a) dividing the approved estimates of the Board of Management by

   b) the total assessed value and

   c) multiplying the result by 1,000

3. Approved estimate for 1997 $8,760.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-

The Levy of a Special Charge

In Respect of:

THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA

GENERALLY COVERING THE AREA BETWEEN KING WILLIAM STREET, MARY STREET, MAIN STREET EAST AND JAMES STREET

WHEREAS, Section 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 5 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $84,000.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 82-151.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1997 in the amount of $84,000.00 are hereby approved.

2. In order to raise the said $84,000.00 there is hereby levied a mill rate of 10.7567 as a Special Charge on the persons in the area assessed for business assessment, in accordance with By-law 82-152, as follows:

   (1) The assessed value of all the real property in the Areas used as the basis for computing business assessment (known herein as "the Total Assessed Value") is $8,518,812.00

   (2) The assessed value of the real property that is used as the basis for computing the business assessment for Kelloryn Hotels (Hamilton) Inc with respect to the hotel business known as "The Royal Connaught" at 82 King Street East is 592,212
   This is reduced by two-thirds 394,808
   to produce the Reduced Assessed Value of that business: **197,404**

(3) The assessed value of the real property that is used as the basis for computing the business assessment of Premiere Hotels Ltd with respect to the hotel business known as "The Ramada Hotel"at 150 King Street East is 472,351
This is reduced by two-thirds 314,901
to produce the Reduced Assessed Value of the business: 157,450

(4) "The Reduced Total Assessed Value" is $8,518,812.00 - (394,808.00+314,901.00): $7,809,103.00

(5) The Mill Rate for the Special Charge is calculated by:

(a) dividing the approved estimates of the Board of Management, $84,000.00

(b) by the Reduced Total Assessed Value, $7,809,103.00 and

(c) multiplying the result by 1,000: 10.7567

3. The portion of the Special Charge which is to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

Bill No. D-32

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

The Levy of a Special Charge

In Respect of:

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF KING STREET EAST BETWEEN MARY STREET AND WELLINGTON STREET NORTH

WHEREAS subsection 220(17) of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that the Council may levy a special charge for the purposes of the Board of Management of an Improvement Area.

> (17) Subject to such maximum and minimum charges as the Council may specify by by-law, the Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

AND WHEREAS the Council of the City of Hamilton in adopting Section 4 of the Nineteenth Report of the Planning and Development Committee on November 26, 1996 approved the amount of $53,500.00 for 1997, for the purpose of the Board of Management of the Business Improvement Area designated by By-law No. 76-019.

AND WHEREAS it is intended that a special charge be levied in accordance with subsection 220(17) of the Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon persons in the Improvement Area assessed for business assessment calculated as set out in Schedule "A" hereto annexed and forming part of this by-law.

2. The special charge levied shall be sufficient to provide a sum equal to the sum of $53,500.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 86-212 as amended, together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

SCHEDULE "A"

To By-law No. 97-

1.	Total assessed value of all the real property in the area used as the basis for computing business assessment.	$953,133.00
2.	The Mill Rate for the special charge is calculated by:	56.1307
	a) dividing the approved estimates of the Board of Management by	
	b) the total assessed value and	
	c) multiplying the result by 1,000	
3.	Approved estimate for 1997	$53,500.00

PASSED this day of A.D. 1997

CITY CLERK MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05
A31
1997

1997 May 12

REVISED

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1997 May 13
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
City Clerk

A G E N D A

1. ***National Anthem.***

2. ***Opening Prayer:*** ***Father Steven Deak***
St. Michael's Hungarian Greek-Orthodox Church

3. ***Presentation:***

Cheque presentation by City of Hamilton Charity Fund
to The United Way ***Elizabeth Bourns, Board of Directors***
The United Way

4. ***Adoption of the minutes of the meeting held 1997 April 29 (special meeting) and the regular meeting held 1997 April 29; and the special meeting held May 6, 1997.***

5. ***Correspondence***

6. ***Reports of the Standing Committees:***

(a) Transport and Environment Committee
(c) Planning and Development Committee
(d) Finance and Administration Committee

7. ***Tabled Resolution from April 29 RE: Section 32 of the Fourth Report of the Transport and Environment Committee.***

8. ***Unfinished Business - Motion RE: Local Government Restructuring***

9. ***Notices of Motion for next meeting.***

10. ***Question Period.***

11. ***Adjournment.***

Section 32 of the Fourth Report of the Transport and Environment Committee tabled for two weeks by City Council at its meeting held April 29:

32. (a) That a Transportation and Urban Design firm be retained, at an upset limit of $10,000, to review how the following two-way street proposals could be implemented:

(i) King Street, between Victoria and Queen

(ii) James Street, between the Escarpment and the Harbour

(iii) John Street, between the Escarpment and the Harbour; and,

(b) That the operational issues to be studied include:

(i) impact on hospitals

(ii) requirements of Police and Fire Departments

(iii) traffic flow at the micro level; and,

(c) That, assuming the foregoing studies show the proposal can be implemented, the study include an estimate of the costs of the required changes to traffic lights, traffic signs and other matters; and,

(d) That the draft study be made available to relevant City and Regional Staff for comment prior to submission to this Committee; and,

(e) That the completed report on this matter will be available by 1997 July 15.

Section 1 of the Second Report of the Committee of the Whole for 1997 adopted by City Council on 1997 February 28 and reconsidered by City Council on April 29, 1997

1. (a) That Hamilton City Council go on record as favouring the report prepared by M.P.P. Tony Skarica dated February 23, 1997 and rejects the recommendations of Parliamentary Assistant Hardeman with respect to the restructuring of municipal government in Hamilton-Wentworth, subject to the following conditions:

(i) That the Red Hill Creek Expressway be funded on the basis of pooled equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook.

(ii) That a transit system be operated and owned by the City of Hamilton.

(iii) That the funding of health and social services, social housing and long term care be based on pool equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, and be administered by the City of Hamilton.

(iv) That the City of Hamilton be designated as the coordinator for emergency preparedness on behalf of Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, based on pooled equalized assessment.

(v) That all municipalities - Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook be responsible for all transition costs based on pooled equalized assessment.

(vi) That this document in no way over-ride all rights conferred to municipalities by virtue of the provincial Municipal Act.

(b) That the Minister of Municipal Affairs be so advised.

MINUTES

Minutes of Committee of the Whole\Hamilton City Council
Tuesday, 1997 April 29
6:50 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Alderman G. Copps - vacation

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - SEVENTH REPORT

City/Region joint allocation - Hamilton-Halton Home Builders' Assoc.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 7:00 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 29
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SEVENTH** Report for 1997 and respectfully recommends:

1. (a) That the $8 000 joint allocation between the City of Hamilton and the Region of Hamilton-Wentworth for completion of Phase I respecting the preliminary concept proposal by the Hamilton-Halton Home Builders' Association (HHHBA) be approved.

   (b) That the document "Downtown Revitalization Phase II" (co-ordination phase), be approved

   (c) That a separate account centre be established under the auspices of the Interim Downtown Co-ordinator to facilitate and monitor expenditures and progress of the development.

   (d) That the HHHBA prepare a quarterly report to the Planning and Development and Economic Development and Planning Committees of the City of Hamilton and the Region of Hamilton-Wentworth respectively.

   (e) That the legal agreement between the City of Hamilton and the Region of Hamilton-Wentworth and the Hamilton-Halton Home Builders' Association be approved and be in a form satisfactory to the Commissioners of Legal Services for the Region and the City of Hamilton.

2. That the following Bill be adopted, signed, sealed and enrolled as a By-law.

E-06: A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW,
CHAIRMAN
COMMITTEE OF THE WHOLE

J. J. Schatz, Secretary
1997 April 29

Minutes of Hamilton City Council
Tuesday, 1997 April 29
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Aldermen: Alderman G. Copps - vacation

Mayor Morrow called the meeting to order.

* * * * * * * * * * * * *

The National Anthem was played.

* * * * * * * * * * * * *

Rev. Kristine Swire, Priest, St. Paul's Anglican Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow recognized Bethany Petkoff, a Grade 8 Student at Our Lady of Lourdes School RE: N.H.L. in Hamilton - The Illusive Dream.

Mayor R. M. Morrow recognized the McMaster Marauders Basketball Team for their accomplishment

Mayor R. M. Morrow presented a Certificate of Recognition to the Greater Hamilton Downtown Community Development Corporation Founding Board. In attendance were Ed Fothergill, Robert Lyons, Gil Simmons, Wolfgang Schoen, Gord Thompson, Marvin Caplan, Helen Kirkpatrick, Al Peckham, Bill O'Brien, Brian Robertson, Mary Pocius and Carol Jamieson.

Mayor R. M. Morrow recognized Chris Firth-Eagland and Werner Plessl, Department of Public Works and Traffic for their work with respect to the Redevelopment of Sam Lawrence Park.

Mayor R. M. Morrow presented a Certificate of Recognition to Bernice Price in recognition of her investiture as the Notre Dame Basilica in Ottawa with the designation of Dame of Grace in The most Venerable Order of the Hospital of St. John of Jerusalem.

ADOPTION OF MINUTES

The minutes of the special meeting held April 7, 1997 and the regular meeting held April 8, 1997 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1997 April 8 from Michael G. McKenna, Surveyor, Ontario Region, Fire Underwriters Survey re: Survey of Fire Defences of the City of Hamilton.

   Referred to the Finance and Administration Committee.

2. Letter dated 1997 April 24 from J. J. Schatz, City Clerk advising of objections to By-law No. 97-049 respecting Rendering Plants.

   Received.

3. Application dated 1997 April 11 from Nick Uhac, Homes by Oakbrook for a change in zoning from "E" (Multiple Dwellings, Lodges Clubs, etc.) District to "RT-30" (Street Townhouse) District modified for 33 East 35th Street, Hamilton, Ontario.

   Received.

4. Application dated 1997 April 17 from several owners (9), for a change in zoning from "C" (Urban Protected Residential) District to "R-4" (Small Lot Single Family Dwelling) District for Block "1", from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District for Block "2" and from "AA" (Agricultural) District to "C" (Urban Protected Residential) District for Block "3" for property at 117, 123, 131, 139 and 151 Stone Church Road East, Hamilton, Ontario.

   Received.

5. Application dated 1997 April 16 from the Canadian National Railway Company, Toronto, Ontario for a change in zoning from "K" (Heavy Industry) District to "L-mr-1" (Planned Development - Multiple Residential) District for property on the north side of Barton Street West, East of Crooks Street, Hamilton, Ontario.

   Received.

6. Application dated 1997 April 21 from D. & G. Ciaramella, 50 Victor Blvd., Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 661 Upper Wellington Street, Hamilton, Ontario.

   Received.

7. Letter dated 1997 April 24 from 819802 Ontario Ltd., Mr. John Fortino, President respecting casino site zoning.

   Received.

* *

It was moved by Alderman Kiss and seconded by Alderman Merling that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Report of the City of Hamilton Licensing Committee, be considered in Committee of the Whole with Alderman Charters in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT

Section 32 Re: Two Way Street Proposals

It was moved by Alderman Agro and seconded by Alderman Ross that Section 32 of the Fourth Report for 1997 of the Transport and Environment Committee be tabled for two weeks. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Eisenberger, Charters, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen McCulloch, Drury, Morelli, Wilson, Collins, Merling, Anderson. -7.
CARRIED.

* * * * * * * * * * * *

Section 40 Re: Bill A-28: A By-law to Amend By-law No. 89-72 to Regulate Traffic.

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 40 of the Fourth Report of the Transport and Environment Committee for 1997 be amended by adding the following at Sub-Section (k).

(k) A-28 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic.
CARRIED.

* * * * * * * * * * * *

Rule No. 9 Re: Parking Regulation on the west side of East 15th Street

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the implementation of a parking regulation on the west side of East 15th Street. **CARRIED.**

* * * * * * * * *

Section 41 Re: Parking Regulation on the west side of East 15th Street

It was moved by Alderman Merling and seconded by Alderman Anderson that the following resolution be added as Section 41 of the Fourth Report of the Transport and Environment Committee for 1997:

41. That a "No Parking" regulation be implemented on the west side of East 15th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 18 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly. **CARRIED.**

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

Section 5 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * * * * * * * * * * *

Section 6 Re: Alcohol in Parks

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. - 15

NAYS: Alderman Jackson. -1. **CARRIED.**

PLANNING & DEVELOPMENT COMMITTEE - SEVENTH REPORT

Section 5 Re: Replacing of Appendix "A" - Charity Gaming Clubs, Table Games and Video Lottery Terminals - Boundaries

It was moved by Alderman McCulloch and seconded by Alderman Drury that Section 5 of the Seventh Report of the Planning and Development Committee be amended by further amending the Appendix regarding Charity Gaming Clubs, Table Games and Video Lottery Terminals to include the block of land bounded by Wilson Street, John Street, Hughson Street and Cannon Street; and, that the Schedule in the concurrent by-law be amended accordingly.

CARRIED.

* * * * * * * * * * * * * *

Section 9 Re: Demolition Permits

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13

NAYS: Aldermen Kiss, Eisenberger, Collins. -3. **CARRIED.**

* * * * * * * * * * * * * *

Section 15(a) Re: Bill C-23: A By-law to Amend Zoning By-law No. 6593:

It was moved by Alderman McCulloch and seconded by Alderman Drury that Section 15(a) of the Seventh Report of the Planning and Development Committee be amended by further amending the Appendix regarding Charity Gaming Clubs, Table Games and Video Lottery Terminals to include the block of land bounded by Wilson Street, John Street, Hughson Street and Cannon Street; and, that the Schedule in the concurrent by-law be amended accordingly.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - EIGHTH REPORT

Section 16 Re: 1997 Levy By-laws for 7 Business Improvement Areas

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 16 of the Eighth Report for 1997 of the Finance and Administration Committee be amended to correct a clerical error, by deleting the amount of $3,000 as the 1997 Levy for the Main Street West B.I.A., and amending it to correctly read $10,000. **CARRIED.**

* * * * * * * * * * * * * *

Section 20(c)(i) Premises - Lease

It was moved by Alderman Ross and seconded by Alderman D'Amico that sub-section (c)(i) of Section 20 of the Eighth Report for 1997 of the Finance and Administration Committee be amended to delete the word "bar" in the fourth line, and insert in lieu thereof the words "private club". **CARRIED.**

* * * * * * * * * * * * * *

Re: Rule No. 9 - Bill D-34: By-law to Authorize 1997 Debenture Projects and Amounts.

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a Bill to Authorize 1997 Debenture Projects and Amounts.
CARRIED.

* * * * * * * * *

Section 29 (s) Re: Bill D-34: By-law to Authorize 1997 Debenture Projects and Amounts.

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Sub-section (s) of Section 29 of the Eighth Report for 1997 of the Finance and Administration Committee:

29. (s) Bill D-34 A By-law to Authorize 1997 Debenture Projects and Amounts.
CARRIED.

* * * * * * * * * * * * *

Re: Conflict of Interest - Alderman D. Ross Re: Teletheatre locations

Alderman D. Ross declared personal interest in, took no part in the debate and refrained from voting on this matter as his wife is a M.P.P., - Lillian Ross who is a Parliamentary Assistant to the Minister of Consumer and Commercial Relations.

* * * * * * * * * * * * *

Rule No. 9 Re: Teletheatre locations

It was moved by Mayor Morrow and seconded by Alderman Kiss that Rule No. 9 of the City's Procedural By-law 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East.

CARRIED.

* * * * * * * *

Section 30 Re: Teletheatre locations

It was moved by Mayor Morrow and seconded by Alderman Kiss that the following be added as Section 30 of the Eighth Report for 1997 of the Finance and Administration Committee:

30. That City Council advise the Ontario Racing Commission that it is aware of the request from Flamboro Downs for additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East, and that City Council has no objection to these locations being approved.

* * * * * * * * * * * * *

It was subsequently moved by Alderman Wilson and seconded by Alderman Anderson that Section 30 of the Eighth Report of the Finance and Administration Committee be referred to the Finance and Administration Committee.

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - NINTH REPORT

CITY OF HAMILTON LICENSING COMMITTEE - SECOND REPORT

RECONSIDERATION

Local Government Restructuring

It was moved by Alderman Agro and seconded by Alderman Ross:

That Section 1 of the Second Report of the Committee of the Whole for 1997 adopted by City Council at its meeting held 1997 February 28 which reads as follows, be reconsidered:

(a) That Hamilton City Council go on record as favouring the report prepared by M.P.P. Tony Skarica dated February 23, 1997 and rejects the recommendations of Parliamentary Assistant Hardeman with respect to the restructuring of municipal government in Hamilton-Wentworth, subject to the following conditions:

(i) That the Red Hill Creek Expressway be funded on the basis of pooled equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook.

(ii) That a transit system be operated and owned by the City of Hamilton.

(iii) That the funding of health and social services, social housing and long term care be based on pool equalized assessment by Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, and be administered by the City of Hamilton.

(iv) That the City of Hamilton be designated as the coordinator for emergency preparedness on behalf of Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook, based on pooled equalized assessment.

(v) That all municipalities - Hamilton, Stoney Creek, Dundas, Ancaster, Flamborough and Glanbrook be responsible for all transition costs based on pooled equalized assessment.

(vi) That this document in no way over-ride all rights conferred to municipalities by virtue of the provincial Municipal Act.

(b) That the Minister of Municipal Affairs be so advised.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Wilson, Eisenberger, D'Amico, Ross. -7.

NAYS: Aldermen Kiss, Drury, Jackson, Merling, Anderson. -5. **CARRIED.**

* *

It was moved by Alderman Kiss and seconded by Alderman Merling that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Report of the City of Hamilton Licensing Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Wilson, Eisenberger, Jackson, Merling, D'Amico, Ross. -10.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * * *

The meeting concluded at 8:45 o'clock p.m. for lack of a quorum.

Present: Mayor Morrow, Aldermen Caplan, Agro, Drury, Wilson, Eisenberger, D'Amico and Ross. -8.

* * * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 April 29
JJS/dg

Minutes of Hamilton City Council
Tuesday, 1997 May 6
7:15 o'clock p.m.
Room 233, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross.

Absent: Alderman W. McCulloch - civic business
Alderman C. Collins - civic business
Alderman H. Merling - civic business

Mayor Morrow called the meeting to order.

* * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Jackson that City Council go into Committee of the Whole to consider resolutions with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: -0. **CARRIED.**

RESOLUTIONS

i) Appointment of Acting Mayor for May, 1997
ii) Endorsement - International Climate Protection Campaign
iii) Bill E-07: A By-law to Confirm Proceedings

It was moved by Alderman Kiss and seconded by Alderman Jackson that Alderman M. Caplan be appointed Acting Mayor for the month of May, 1997. **CARRIED.**

* * * * * * * * * * *

It was moved by Alderman Drury and seconded by Alderman Wilson and **CARRIED:**

That the Mayor, on behalf of the Council of the Corporation of the City of Hamilton, endorse the following:

I, MAYOR ROBERT M. MORROW

ENDORSE in principle the aims and objectives of the Cities for Climate Protection (CCP) Campaign, an international International Council for Local Environmental Initiatives (ICLEI) campaign to mobilize local government action to reduce greenhouse gas emissions, and provide a collective international voice for local governments vis-a-vis national governments and the U.N. Framework Convention on Climate Change;

PLEDGE to pursue the goals outlined herein, and with the approval by the municipal council and/or elected leader, to officially join the Cities for Climate Protection Campaign, thus committing my local government to do the following:

1. develop and implement a local action plan to reduce emissions of greenhouse gases and protect carbon sinks, which contains:

- a profile of baseline local energy use and estimates of energy use in a "scenario year" 10 to 20 years in the future

- a profile of CO2 and other emissions in the baseline and scenario years

- an inventory of measures and technologies appropriate to reduce CO2 and other relevant emissions in the scenario year, prioritized based on the capacity to directly reduce emissions, cost effectiveness, and other criteria deemed appropriate

- a C02 reduction target applicable to the scenario year which is no less than that stipulated in current FCCC documentation i.e. stabilization of emissions at 1990 levels by the year 2000

- policies that will enable the local authority to meet the target;

2. develop and implement measures aimed to reduce energy consumption and greenhouse gas emissions in the local government's own operations, such as public facilities, vehicle fleets and employee travel;

3. conduct awareness building campaigns and/or other educational programs which endeavour to change public attitudes and behaviour in order to reduce energy consumption;

4. promote the local level development and sustainable use of renewable sources of energy such as hydro, solar, wind, geothermal, biogas and biomass;

5. submit to the World Secretariat of ICLEI or to the regional CCP Campaign Office, a copy or summary of our local action plan in the English language, within one and one-half years of the date below.

1997 May 6

_____

Mayor R.M. Morrow
City of Hamilton

* * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Jackson that the following Bill be adopted, signed and enrolled as a By-law:

E-07: A By-law to Confirm the Proceedings of The Council of The Corporation of the City of Hamilton. **CARRIED.**

* * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Jackson that the Report of the Committee of the Whole on the Resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 7:20 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1997 May 6
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter dated 1997 May 1 from the Hamilton Harbour Commissioners respecting the Canada Marine Act, conveyance of Water lots 1 and 2, and surplus profits.

   Recommendation: Be Referred to the Finance and Administration Committee.

2. Application dated 1997 May 6 from R. Denninger Limited, 284 King Street East, Hamilton, for a change in zoning from "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, modified for 1289 Upper James Street, Hamilton, Ont.

   Recommendation: Be Received.

3. Application dated 1997 May 6 from Cesare, Vera, Enio and Maurice Prosperi, 113 Mohawk Road East for a change in zoning from "C" (Urban Protected Residential, etc.) District for "R-4" (Small Lot Single Family Detached) District for 5 Dodson Street, Hamilton.

   Recommendation: Be Received.

The Commissioners manage the Port as a commercial entity with essentially all its revenues being earned in the marketplace (a small portion comes from imposed tolls). Our rates and charges are established at levels to derive sufficient revenue to operate and develop the Port. For many years additional outside capital was needed, particularly from the Government of Canada. Since the mid 1980's, a balance of sorts has been achieved so that the Commissioners have been able to conduct its operations and carry out Port development and improvements without any call on tax dollars. In addition, in recent years we have also been able to hold the line on any significant increases to Port charges. In fact, neither access to tax dollars nor rate increases is readily achievable in the commercial marketplace of the 1990's. This means that the Port must continue to grow and diversify in order to remain successful.

There is much to be done to keep the Port viable and progressive. Waterfront infrastructure is expensive to build and maintain. Indeed, on the land side, much of it is the same as the City's -- that is roads, railroads, water mains, sewers, power grids, buildings and the like. On the water side, the Commissioners, again like the City, have had to pick up costs down-loaded from governments; most recently, significant expenses for dredging.

While it is not for us to pre-determine the results of the City's accounting, we would simply say that, to do all the foregoing and still generate additional funds for distribution to the City as surplus profits is, in our view, not a reasonable expectation. Indeed, the Commissioners do not view the generation of profits for distribution as a priority contemplated by the Act and have never, in our history, made such a distribution. We are also cognisant that were such a distribution to be considered, the Port's waterfront industries might well take the view that revenues which may be declared to be in excess of the Commissioners' actual needs ought not to be collected from them.

This is not to say that significant financial benefits do not accrue to the City from the Port. Annual property taxes generated from Port lands have been steadily growing and last year amounted to $2,770,456. The Commissioners have had some success in acquiring abandoned industrial lands and bringing them back into productive use; a practise which has come to be known as "brownfield development". EastPort continues to grow, having been stalled somewhat by the last recession, but we will see several new businesses locate there this year. Our Harbour West development continues to expand commercial and recreational activities to complement the park lands the City has developed. The Commissioners believe that the City will derive benefits from these and other H.H.C. projects far into the future.

In response to your request for Waterlots 1 and 2, the Commissioners advise that in addition to our regulatory powers, land ownership has always been an important component in the successful operation and development of the Port. The Commissioners have not declared any waterlots to be surplus to its needs. In contrast, the Commissioners have adhered, for over twenty-five years, to a policy of not selling its lands and waterlots. There have been rare exceptions, for example Pier 4 was granted to the City for park purposes in 1982. Presently the Commissioners are acquiring waterfront lands as they become available. In the West harbour, this practise is being held in abeyance for the time being so as not to conflict with the City's negotiations with C.N. for the waterfront trail.

All this is to say that the Commissioners do not wish to transfer Waterlots 1 and 2. This should not be viewed as in any way diminishing the Commissioners' desire to see this area of the Harbour develop in a manner that co-operates with the City to reflect the community's needs.

We apologize for the length of this letter but we value the progress made in developing an improved working relationship with the City and, therefore, wish to give a detailed explanation for our decisions.

In closing, we would ask that the City Clerk forward to us a copy of the Council's Resolution on the appointment of K.M.P.G. We will then be in contact with them to make the necessary arrangements for their attendance at our offices.

THE HAMILTON HARBOUR COMMISSIONERS

.....
Patrick J. Dillon, Chairman

.....
Duncan M. Beattie, Commissioner

.....
Laurel L. Wilson, Commissioner

i:\ah\vrh\270comm

Law Department

City of HAMILTON

71 Main Street West, Hamilton, Ontario, L8N 3T4
Tel. (905) 546-4520 / Fax (905) 546-2142

April 9, 1997

Mr. R. R. Hennessy, Port Director
Hamilton Harbour Commissioners
605 James Street N.
Hamilton, Ontario L8L 1K1

Dear Mr. Hennessy :

The Office of the Minister of Transport has recently advised us that the Canada Marine Act with amendments tabled as recently as March 13, 1997 is awaiting debate in the House, which is expected the week of April 7th, 1997. The City of Hamilton deems its appropriate at this time given the potential change of status, to document the current relationship. In keeping with this, the City of Hamilton has retained the services of Mr. J. A. McMyn a Partner with KPMG Peat Marwick Thorne, Chartered Accountants to review the Hamilton Harbour Commissioners' financial records. The Commissioners hold money from surplus profits as trustees for the City of Hamilton. To this end, we would like to arrange an opportunity for Mr. McMyn to review the Commission accounts with your financial staff. After a review of the annual statments, we have specific questions that, given the positive interaction with the City and its Harbour Commissioners, can be dealt with in this way. Please let me know when we can convene this meeting.

As you are no doubt aware, the City is actively pursuing the development of the WestHarbour Front for the recreational use by its residents and visitors. Further to the recent discussions, and consistent with the Hamilton Harbour Commissioners' Master Plan, Water lots 1 and 2 are surplus to the Commission's shipping and navigational operations. The plan for this area, concurred in by both the City and its Harbour Commissioners, is for open space recreational. The City of Hamilton now requests the transfer of water lots 1 and 2 back to the Corporation of the City of Hamilton forthwith. Once again, please advise me how we may assist you in this transfer.

Looking forward to hearing from you, I remain

Yours truly,

P. Noé Johnson
City Solicitor

HAMILTON 150TH BIRTHDAY 1996

Hamilton Harbour Commissioners
RECEIVED
APR 14 1997
LTR. No. 6368

Hamilton Harbour Commissioners
RECEIVED
APR 1[illegible] 1997
LTR. No.

INFORMATION REQUESTED

FROM

THE HAMILTON HARBOUR COMMISSION

In order to determine whether the Commission has surplus profits available to be paid over to the City of Hamilton, the City requests a response to the following questions:

1. Reserve for Future Harbour Improvements

In the financial statements for the year ended December 31, 1995, the Commissioners have set aside a reserve of $10,399,956 for future capital expenditures and these funds have been invested in short-term deposits. With respect to these future capital expenditures, the City requests the following:

i) A list of the projects included within these expenditures.

ii) A copy of the economic studies and financial forecasts supporting the above projects showing the effect the expenditures will have on net revenues and cash flows.

iii) Information on the present stage of each project e.g., whether the project has been designed, whether the costs have been estimated, whether the project has been put out to construction companies for tender, whether a signed contract for construction has been completed.

2. Five Year Capital Budget

In note 4 to the 1995 financial statements, the Commissioners are stated to have approved a 5 year capital budget in aggregate amount of $30,010,000. In respect of these budgeted expenditures, the City requests the following information together with documents supporting the information so far as they are available:

i) A list of the projects included within these expenditures.

ii) A copy of the economic studies and financial forecasts supporting the above projects showing the effect the expenditures will have on net revenues and cash flows.

iii) Information on the present stage of each project e.g., whether the project has been designed, whether the costs have been estimated, whether the project has been put out to construction companies for tender, whether a signed contract for construction has been completed.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1997 and respectfully recommends:

1. That a "No Parking" regulation be implemented on the north side of Blossom Lane commencing 493 feet west of Upper James Street and extending to a point 32 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

2. (a) That a "Permit Parking" regulation be implemented on the south side of Brant Street commencing at a point 53 feet west of Niagara Street and extending to a point 16 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Linda Rooney, No. 23 Brant Street.

3. (a) That a "Permit Parking" regulation be implemented on the east side of Poulette Street between Hunter Street West and the northerly end and that the City Traffic By-law No. 89-72 be amended accordingly; and,

   (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to No. 376 Hunter Street West.

4. That a "No Parking" regulation be implemented on the south side of Norwood Road commencing at Bond Street North and extending to a point 93 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

5. That the existing "No Parking" loading zone on the south side of Case Street commencing at a point 201 feet west of Lottridge Street and extending to a point 20 feet westerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

6. (a) That a "Permit Parking" regulation be implemented on the west side of Fairfield Avenue commencing at a point 183 feet south of Britannia Avenue and extending to a point 23 feet southerly therefrom, and on the east side of Fairfield Avenue commencing at a point 167 feet south of Britannia Avenue and extending to a point 24 feet southerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Lloyd Stockton, No. 185 Fairfield Avenue North.

7. That the existing "No Stopping, Wheelchair Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Royal Avenue commencing at a point 66 feet east of Emerson Street and extending to a point 24 feet easterly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

8. That the existing taxi stand, loading zone and five 15-minute parking meters on the north side of Rebecca Street between John Street North and Catharine Street North, be replaced with 11 30-minute parking meters and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That the existing "Permit Parking" regulation on the east side of Bond Street South commencing at a point 52 feet south of Marion Avenue and extending to a point 22 feet southerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.

10. That a "No Stopping" corner clearance be implemented on the south side of Monteagle Court commencing at Dungannon Place and extending to a point 52 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

11. That all-way stop control be implemented at the intersection of Barlake Avenue and Hollydene Place and that the City Traffic By-law No. 89-72 be amended accordingly.

12. That southbound traffic on Jeremy Street be required to stop for eastbound and westbound traffic on Chipman Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.

13. (a) That the following Hamilton Street Railway bus stops be removed and relocated:

Route No. 27 Upper James

(i)	Delete - Eastbound	Limeridge Road West, south side, 545' west of West 5th Street (M/B); and,
(ii)	Delete - Eastbound	Limeridge Road West, south side, 58' west of West 5th Street (N/S); and,
(iii)	Add - Eastbound	Limeridge Road West, south side, 288' west of West 5th Street (M/B); and,

Route No. 21 Upper Kenilworth

(i)	Add - Eastbound -	Limeridge Road East, south side, 118 feet east of Upper Ottawa Street (F/S); and,
(ii)	Delete - Eastbound -	Limeridge Road East, south side, 29 feet west of Upper Kenilworth Ave. (N/S); and,
(iii)	Add - Northbound -	Upper Kenilworth Avenue, east side, 217 feet north of Limeridge Road East (M/B) - recovery point; and,
(iv)	Delete - Eastbound -	Limeridge Road East, south side, 108 feet east of Upper Kenilworth Avenue (F/S); and,
(v)	Add - Southbound -	Upper Kenilworth Avenue, west side, 217 feet north of Limeridge Road East (M/B) - recovery point; and,

Route No. 22 Upper Ottawa

(i)	Add - Eastbound -	Unsworth Drive, south side, 108 feet east of Upper Ottawa Street (F/S); and,
(ii)	Add - Northbound -	Hempstead Drive, east side, 200 feet north of the north curb line (projected) of Unsworth Drive (M/B); and,

(iii) Add - Eastbound - Hempstead Drive, south side, 36 feet west of Nebo Road (N/S); and,

(iv) Delete - Northbound - Pritchard Road, east side, 261 feet north of the centre line of Rymal E. (M/B); and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

14. (a) That the supervised school crossing on Melvin Avenue be relocated from 60 feet east of Brunswick to the intersection of Brunswick Street and Melvin Avenue; and,

(b) That parking be allowed on the north side of Melvin Avenue between Brunswick Street and Osborne Street; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

15. (a) That the following Hamilton Street Railway bus stop be installed:

Route No. 33 Sanatorium

Add - Southbound - MacNab Street South, west side of the east leg, 20 feet north of Main Street West; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

16. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved, provided:

(a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the first year fees and subsequent annual fees as outlined in Appendix "A", be set for the encroachments.

17. (a) That the existing weight restriction on the Valley Inn Road bridge over Grindstone Creek be revised to a maximum of 5 tonnes; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

18. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

"Allison Estates - Phase 2", Hamilton

City's Share - $ 29,679.08 Owner's Share - $ 245,830.11; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Allison Estates - Phase 2", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,

(d) That in the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

(e) That the City's share of servicing "Allison Estates - Phase 2" subdivision at an estimated cost of $29,679.08 be financed from the Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands; and,

(f) That the Commissioner of Transportation be directed to prepare a By-law to stop up, close and retain:

(i) The most northerly 0.30 metres of Kirkfield Road, from the most easterly limit of Lot 66, Registered Plan 1013, westerly to a distance of approximately 12.00 metres; and,

(ii) The most southerly 0.30 metres of Kirkfield Road, from the most easterly limit of Lot 67, Registered Plan 1013, westerly to a distance of approximately 12.00 metres; and,

(g) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closings described in Sub-Section (f) (i) and (ii) above, pursuant to Section 44 of the Regional Municipality Act R.S.O. 1990; and,

(h) That the Commissioner of Transportation be authorized and directed to prepare and register a reference plan under the Registry Act, for the purpose of closing the road described in Sub-Section (f) (i) and (ii) above; and,

(i) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1990.

19. (a) That an Option to Purchase by the City of Hamilton, duly executed by the owner Canada Lands Company (CLC) Limited on 1997 April 22, and scheduled to close on or before 1997 June 30, for the lands situated in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of Lot 12, Registrar's Compiled Plan No. 1391, having a frontage of 11.253 metres (36.92 feet), along the southern limit of King Street East, and a frontage of 11.265 metres (36.96 feet), along the northern limit of Main Street East, and a depth of 82.892 metres (271.96 feet), known as No. 179 Main Street East, shown as Part 1 on Registered Plan 62R-13475, excluding that portion of the previously described lands occupied by a foundation wall encroachment of a building known as No. 242 King Street East, Hamilton, be approved and completed and the purchase price of $51,500 be charged to Account Centre No. CH 00102 (Reserve for Property Purchase); and,

(b) That as consideration in the amount of $2 has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,

(c) That in connection with the eaves of the building known as 242 King Street East, which overhang the property being acquired by the City, that the building owner be permitted to maintain the overhanging eaves, provided the owner enters into the City's Standard Encroachment Agreement in a form satisfactory to the City Solicitor and the Senior Director of the Roads Division, which agreement shall confirm that the encroachment may continue only during the pleasure of Council and be subject to an annual fee for his privilege in the amount of $20 per year or the fees as amended; and,

(d) That following completion of this said purchase, the Senior Director of Roads is hereby authorized and directed to prepare a by-law, in a form satisfactory to the City Solicitor, to establish the said lands as a highway forming part of Ferguson Avenue South; and,

(e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

20. That the Commissioner of Public Works and Traffic be directed to implement the reconstruction of the City sidewalks on the south side of King Street from James Street to Mary Street in accordance with the attached Appendix "B".

21. That a purchase order be issued to Wesco, of Hamilton, Ontario, in the amount of $224,395.74 for the supply and delivery of light poles and bollards for the redevelopment of King Street East between James Street and Mary Street being the lowest acceptable tender received in accordance with specifications C16-1897 issued by the Purchasing Division and Vendor's tender, and be financed from Capital Funds Account No. CF5200 609755033.

22. That the Commissioner of Public Works and Traffic be directed to prepare a comprehensive report, in association with the Hamilton Parking Authority and the Regional Roads Department and in conjunction with the Downtown Revitalization Plan on various initiatives to increase the availability of parking in the downtown core.

23. (a) That the West Central Branch of the Ministry of Environment and Energy be advised that the City of Hamilton does not object to Twin Oaks Environmental Ltd. receiving a Provisional Certificate of Approval No. A650135 for a Waste Disposal Site (Processing/Transfer) for the site located at No. 464 Rennie Street East, Hamilton on the condition that:

(i) the Ministry of Environment and Energy give specific consideration to reducing the storage time for residual waste exclusively, in order to mitigate potential odour and dust impacts; and,

(ii) that proper spill prevention measures and containment be implemented, to minimize the potential of any discharges to the Regional sewer system during the removal of liquid waste from the underground storage tank into a tanker vehicle; and,

(iii) that all environmental, health and safety safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy, and that all applicable City By-laws are complied with fully; and,

(b) That a copy of this Report be forwarded to the West Central Branch of the Ministry of Environment and Energy for consideration; and,

(c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the requested Provisional Certificate of Approval for Twin Oaks Environmental Ltd. to the City of Hamilton.

24. That the application of Hamilton-Wentworth Creative Arts Inc. to temporarily close Longwood Road North, Paradise Road North and Bond Street North from King Street West to Princess Point, and the cross streets between Longwood Road and Paradise Road including Glen Road, Dufferin Street, Edgevale Road, Roanoke Road, Norwood Road, Franklin Avenue, Kenmore Road, Dorset Place, Freeland Court and Desjardins Court, to all but pass holders, residents of the closure area and emergency vehicles, and to allow one way access to the parking area at Kay Drage Park from Macklin Street and one way exit from Kay Drage Park from Longwood Road, from Saturday 1997 June 28 at 11:00 o'clock a.m. to Tuesday, 1997 July 1 at 12:00 o'clock midnight, to hold the annual Earthsong Festival, be approved, subject to the following conditions:

(a) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,

(b) That the applicant provide proof of $2,000,000. public liability insurance naming the Region and the City of Hamilton as an added insured party, with a provision for cross liability and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his designate; and,

(d) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic on the affected roadways, if deemed necessary by the Commissioner of Public Works and Traffic at the expense of the applicant; and,

(e) That all barricading be supplied by and at the expense of the applicant; and,

(f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads to the satisfaction of the Commissioner of Transportation and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation.

25. (a) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049:

"the lands composed of Rosslyn Avenue South, Registered Plan 586, designated as Parts 1, 2, 3 and 4 on Plan 62R-14097 and containing an area of 1,150.1 square metres (12,379.98 square feet)"; and,

(b) That an Offer to Purchase (Highway Closure), to be executed by Loblaws Inc. (Gavin Goebel, Assistant Secretary) and scheduled to close thirty (30) days after the conditions in the Offer have been fulfilled to the satisfaction of the City, being on or before the 1997 June 16, for the lands composed of Rosslyn Avenue South, Registered Plan 586, designated as Parts 1, 2, 3 and 4 on Plan 62R-14097, and containing an area of 1,150.1 square metres (12,379.98 square feet) as shown on Schedule "B" attached to the Agreement, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of $104,280 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases (Sales)) - $74,280 and Account No. CH59006 75910 (Recovery/External - Work done for Others) - $30,000; and,

(c) That the closing of this sale transaction be conditional upon the Purchaser entering into and registering easements in favour of the Regional Municipality of Hamilton-Wentworth, Part 2 on Plan 62R-14097 and Hamilton Hydro Electric System, Part 3 on Plan 62R-14097; and,

(d) It is understood and agreed that:

(i) the Purchaser shall install landscaping satisfactory to the City on Rosslyn Avenue adjacent to Delta Park, at the proposed entrance onto King Street, east of Rosslyn Avenue and at the corner of King Street East and Balmoral Avenue in accordance with a plan to be prepared by the Department of Public Works and Traffic; and,

(ii) the above noted $30,000 to be paid by the Purchaser is for the installation of a Pedestrian Priority Signal crossing King Street in the vicinity of Balmoral Avenue, Hamilton; and,

(e) That the Regional Municipality of Hamilton-Wentworth be requested to install a Pedestrian Priority Signal crossing King Street in the vicinity of Balmoral Avenue, Hamilton in 1997; and,

(f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,

(g) That in accordance with Real Property Sales Procedural By-law No. 95-049:

(i) satisfactory notice given pursuant to Section 300 of the Municipal Act (the highway sale provision); and,

(ii) no appraisal of the fair market value of the real property being sold was obtained as Highway (Public Alleyway) closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,

(iii) the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act.

26. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) A-29 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(b) A-30 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(c) A-31 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(d) A-32 A By-law to Amend Traffic By-law No. 89-72 to Regulate Traffic

(e) A-33 A By-law to Stop-up, Close and Sell that Portion of Rosslyn Avenue from Main Street East to King Street East Designated as Parts 1, 2, 3 and 4 on Plan 62R-14097

(f) A-34 A By-law to Authorize the Construction as Local Improvements as a City Initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

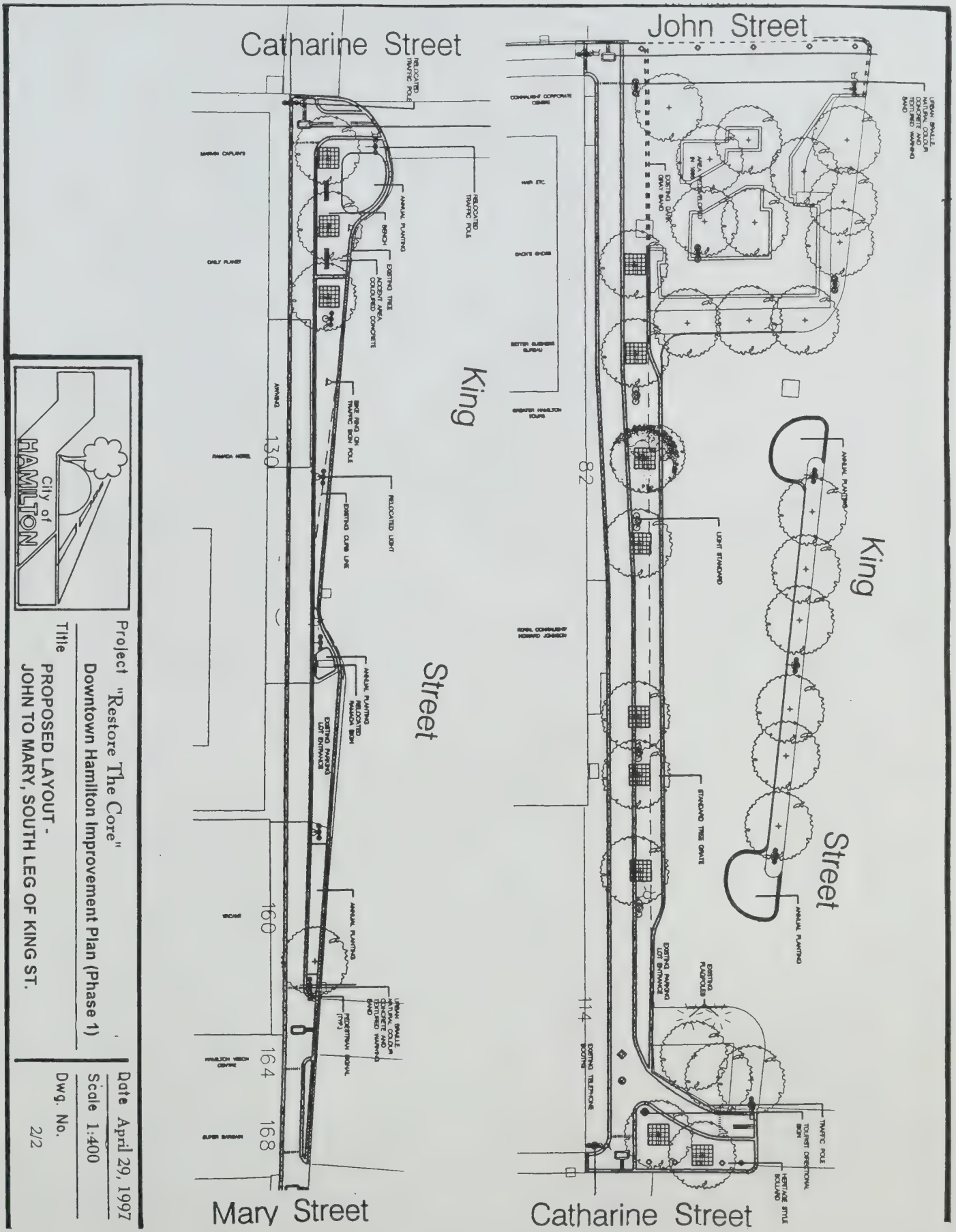
Kevin C. Christenson
Secretary

1997 May 5

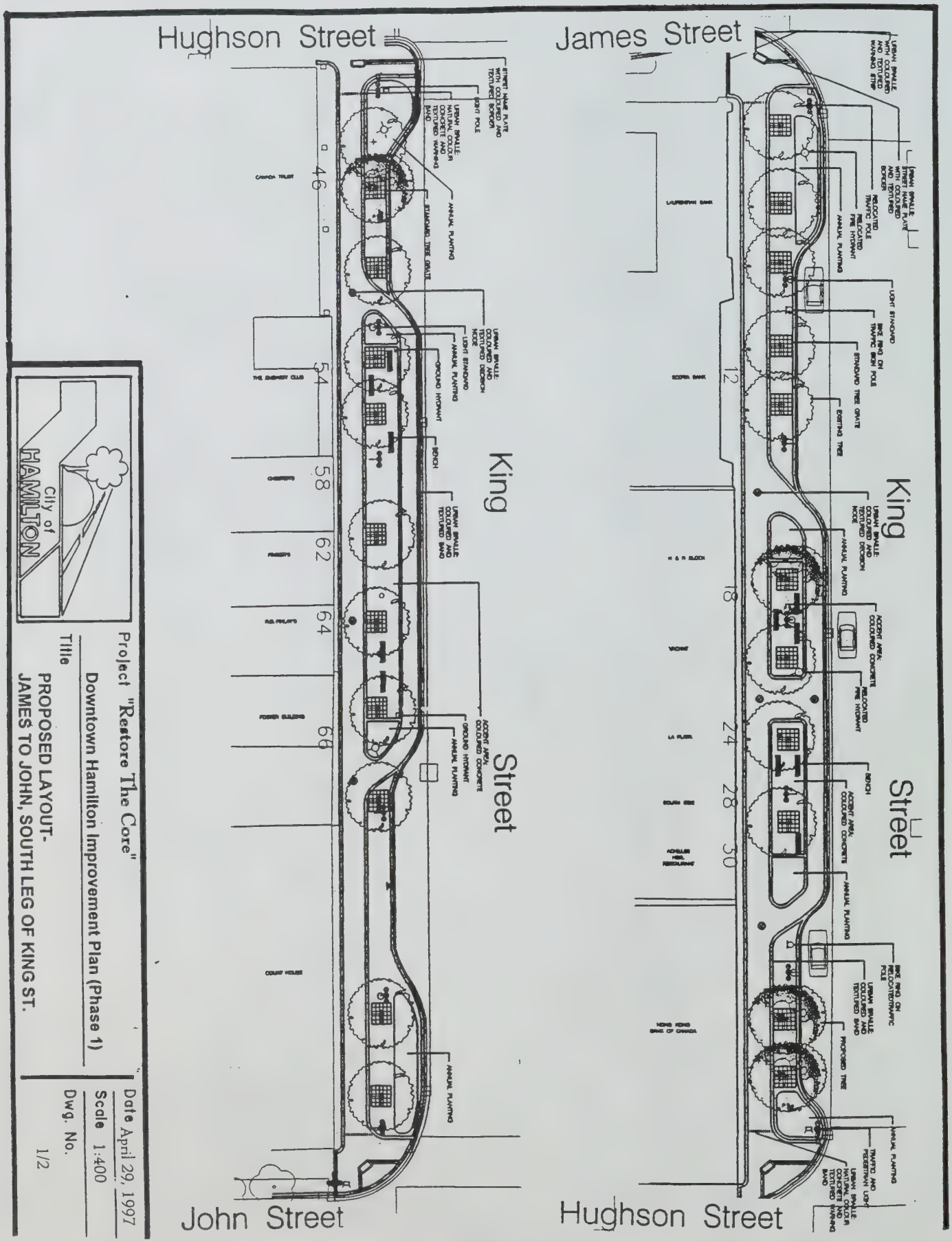
Appendix "A" as referred to in Section 16 of the Fifth Report of the Transport and Environment Committee for 1997

Location	Municipal Address	Owner	Type of Encroachment	First Year/Annual Fee
East Avenue North	119 East Avenue North	G. & K. Gannon	Encroachmentof portion of veranda measuring 6.66m x 0.27m and steps measuring 1.06m x 1.33m onto the East Avenue North road allowance	$158.00/$20.00
Catharine Street	390 Catharine Street	J. & J. Amore	Encroachmentof steps measuring 1.6m x 1.2m onto the Catharine St. road allowance.	$184.00/$20.00
Grant Avenue	95 Grant Avenue	M. & A. Weiler	Encroachmentof front porch and steps measuring 3.0m x 0.3m onto the Grant Avenue road allowance	$184.00/$20.00
Roxborough Avenue	130-136 Kenilworth Avenue	1150683 Ontario Ltd.	Encroachmentof landscaping consisting of three Maple Trees measuring 3m x 30m onto the Roxborough Avenue road allowance	$264.00/$20.00
Mary Street	194 Mary Street	C. & D. Santos	Encroachmentof steps measuring 1.22m x 0.53m onto the Mary Street road allowance	$184.00/$20.00
Bold Street	123 & 125 Bold Street	Bold Street Holdings Ltd.	Encroachmentof 2 sets of steps measuring 1.5m x 0.15m onto the Bold Street road allowance	$184.00/$20.00
Rosemont Avenue	45 Rosemont Avenue	M. & A. Kuzmenco	Encroachmentof concrete steps measuring 1.5m x 0.5m onto the Rosemont Avenue road allowance	$184.00/$20.00
Aikman Avenue	14 Aikman Avenue	J. & C. Bacelo	Encroachmentof steps measuring 1.5m x 1m onto the Aikman Ave road allowance	$184.00/$20.00
Strachan Street East	111 Strachan Street East	E. & E. Reesor	Encroachmentof front porch measuring 6.5m x 0.5m and steps measuring 1.5m x 1m onto the Strachan St. E. road allowance	$184.00/$20.00

Appendix "B" (Page 1) as referred to in
Section 20 of the Fifth
Report of the Transport and
Environment Committee for 1997



Appendix "B" (Page 2) as referred to in Section 20 of the Fifth Report of the Transport and Environment Committee for 1997



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1997 and respectfully recommends:

1. That approval be given to amended Zoning Application ZAC-97-10, Frank Mulas Construction Ltd., DiCenzo Construction and Sunshine Construction Inc., owners, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District (Blocks "1" and "2") and from "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc) District (Blocks "3" and "4") for property located west of Omni Boulevard, south of Upper Horning Road and north of Stone Church Road West as shown on the attached map marked as Appendix "A" on the following basis:

   (a) That Blocks "1" and "2" be rezoned from (Agricultural) District to "C" (Urban Protected Residential, etc) District; and,

   (b) That Blocks "3" and "4" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc) District; and,

   (c) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "2" and "4", be modified to include the following variance, as a special requirement:

      (i) Notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, the minimum front yard shall be provided and maintained in accordance with the attached Schedule "B"; and,

   (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1380, and that the subject lands on Zoning District Map W-9B be notated S - 1380; and,

   (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37C for presentation to City Council; and,

(f) That upon finalization of the zoning by-law the approved Gurnett Neighbourhood Plan be amended to redesignate the subject lands from "Attached Housing" to "Single and Double Residential"; and,

(g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

2. (a) That the appropriate staff (eg. Law, Planning and Development Departments) be authorized to attend the Ontario Municipal Board Hearing respecting the severance of the Canadian National Railway lands, north of Barton Street West, between Crooks Street and Queen Street North, as shown on the attached map marked as Appendix "B" and inform the Board that the City consents to the amendment of condition 2. so that it reads:

> "Rezoning the subject lands from "K" (Heavy Industry, etc) District to "L-mr-1" (Planned Development-Residential) District."; and

(b) That the City be authorized to request an adjournment of the hearing until Zoning Application 97-15 has been finalized; and,

(c) That the City be authorized to defend the decision of the Committee of Adjustment as amended by item (a) above, in the event that an adjournment is not granted by the Ontario Municipal Board.

3. (a) That the Building Commissioner be authorized to call tenders and subsequently proceed to have the building located at 293 Tragina Avenue North demolished to bring the subject property into compliance with City of Hamilton Property Standards By-Law 94-185 and as authorized under The Planning Act, 1990 Subsection 20, Section 31 and specifically to do the work required to comply with the Final and Binding Order; and,

(b) That the costs incurred for demolition, levelling, and clearing of lands together with administrative costs be added to the tax roll; and,

(c) That the Building Commissioner be authorized to issue a demolition permit for 293 Tragina Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended; and,

(d) That the attached By-law marked as Appendix "C" to authorize the demolition of all buildings and structures and the clearing of the lands be enacted by Council.

4. That the Building Commissioner be authorized to issue a demolition permit for 170 Simcoe Street East once the owner obtains a building permit to replace the building to be demolished.

5. That the Building Commissioner be authorized to issue a demolition permit for 172 Simcoe Street East once the owner obtains a building permit to replace the building to be demolished.

6. (a) That the remainder of the 1996 Festival Allocation be approved toward the purchase of Street Banners as part of the Festival component of the Barton Street Revitalization Program; and,

   (b) That the City Treasurer be authorized and directed to forward $12,743.34 to the Barton Street B.I.A.

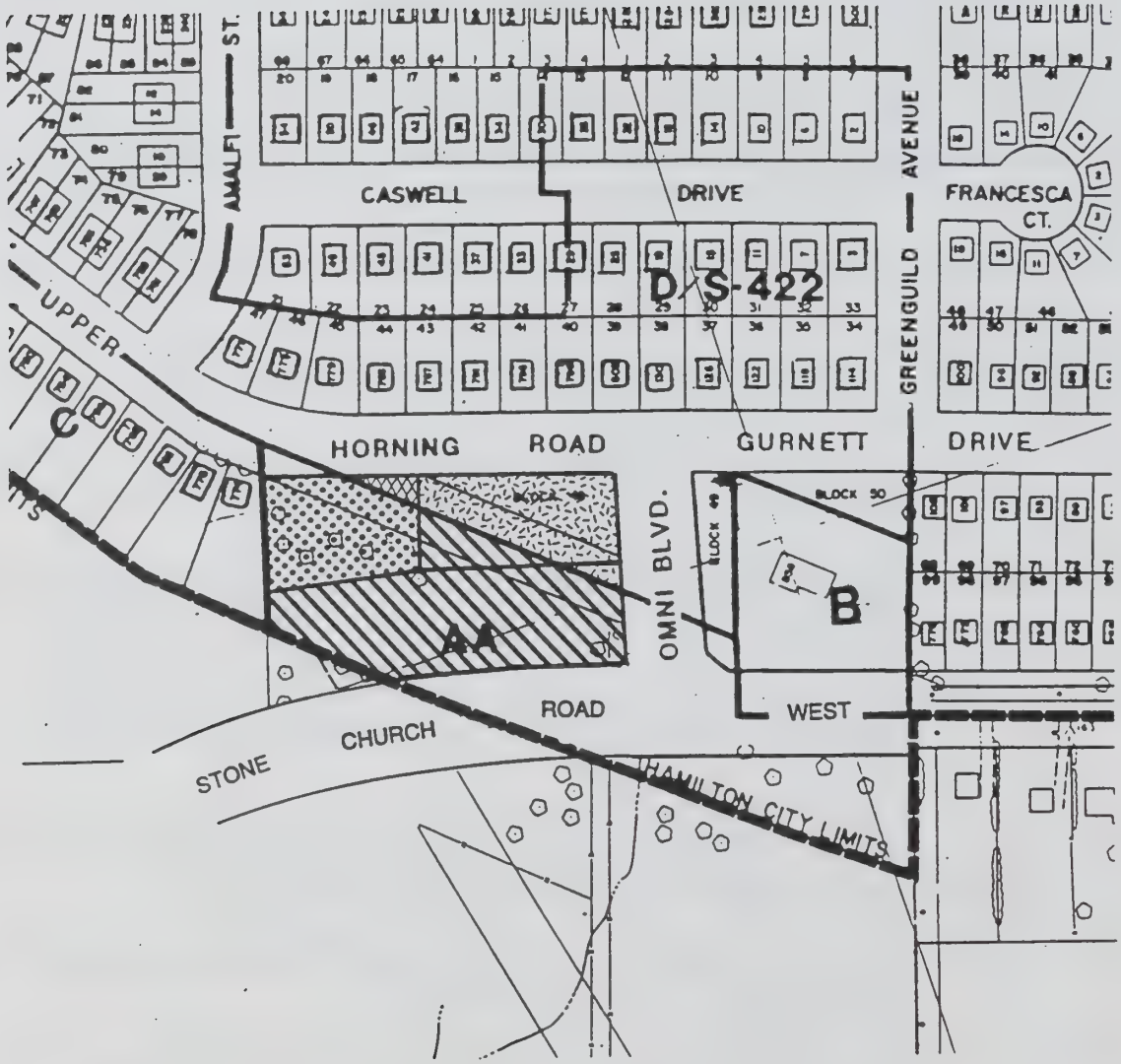
7. (a) (i) That a secured loan in the amount of twenty-five thousand dollars ($25,000) to 1160584 Ontario Inc., for improvements to 340 Barton Street East be approved subject to the fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

   (ii) That a grant from the Barton Street Revitalization Fund in the amount of twelve thousand, five hundred dollars ($12,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

   (b) (i) That an unsecured loan from the Barton Street Revitalization Fund in the amount of five thousand dollars ($5,000) to 1160584 Ontario Inc., for improvements to 340 Barton Street East be approved, subject to fulfilment of the borrowing requirements of the Commercial Property Improvement Loan Program. The interest rate is set at 2.38 per cent, amortized over 10 years; and,

   (ii) That a grant from the Barton Street Revitalization Fund in the amount of two thousand, five hundred dollars ($2,500) be utilized to pay-down this loan as per the terms of the Barton Street Revitalization Program.

8. That a Commercial Property Improvement Loan in the amount of fifteen thousand dollars ($15,000) to Jacqueline Simpson for improvements to 948 King Street West be approved subject to the fulfilment of the borrowing requirements of the Commercial

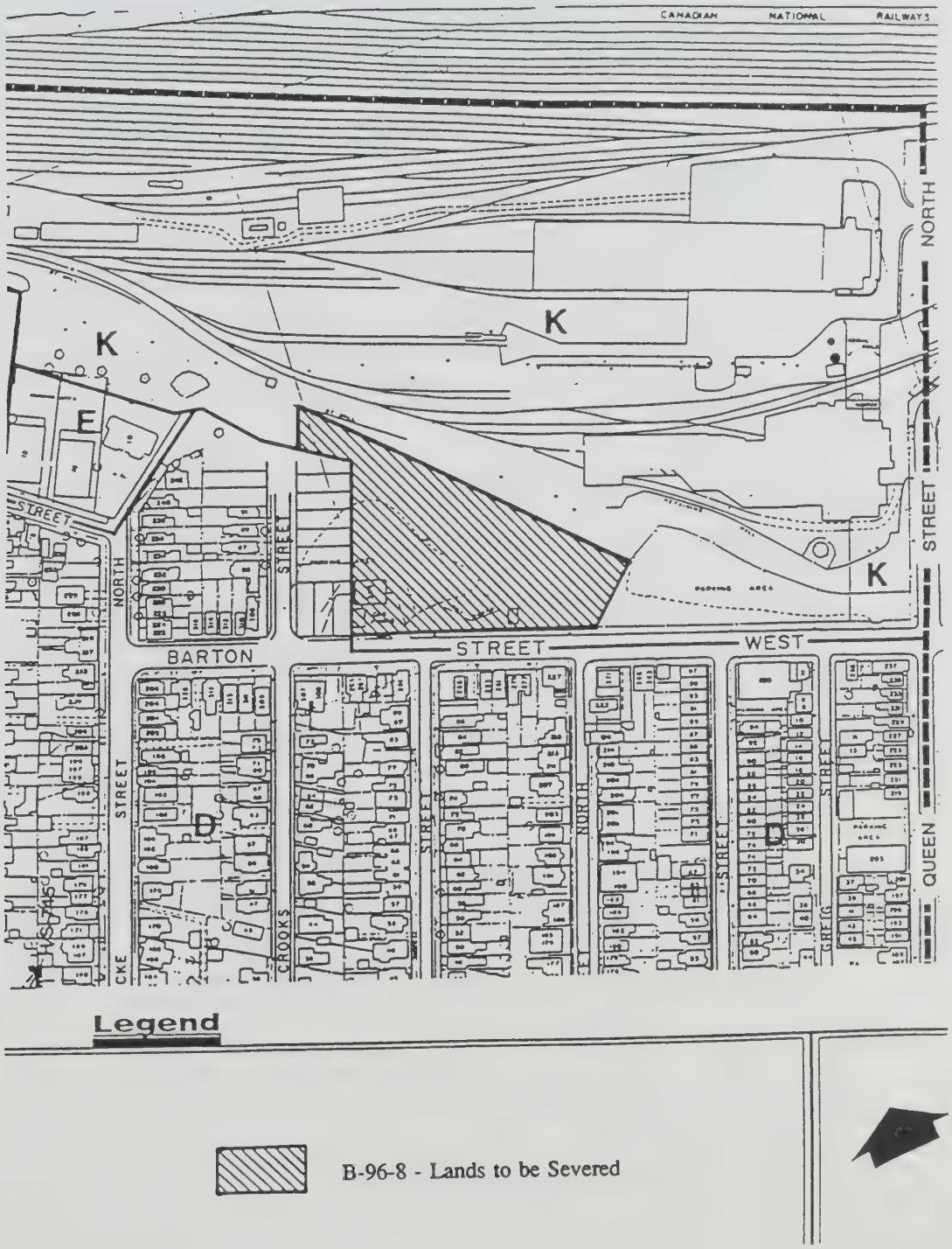


Legend

Proposed change in zoning :

BLOCK 1	From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,
BLOCK 2	From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified;
BLOCK 3	From "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc.) District; and,
BLOCK 4	From "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc.) District, modified.

ZAC-97-10


CANADIAN NATIONAL RAILWAYS
K
K
K
E
NORTH STREET
STREET
BARTON STREET WEST
D
D
QUEEN STREET
Legend
B-96-8 - Lands to be Severed

Appendix "C" referred to in Section 3(d) of the **EIGHTH** Report of the Planning and Development Committee for 1997

1997 May 13

Bill No

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

DEMOLITION AND CLEARING OF

BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

293 TRAGINA AVENUE NORTH

WHEREAS a **Notice** dated the **13th** Day of **December** 1996 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS an **Order** dated the **6th** of **January** 1997 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS a hearing was held on the **17th** of **March** 1997 by the Property Standards Committee in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 18 of Section 31 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 19 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described as municipal number 293 Tragina Avenue North, Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No.94-185 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Section 39(1)(c)(ii) of The Property Standards By-Law No. 94-185, as amended, the final amount expended by the City to demolish the buildings, together with interest, shall be a lien against the property in respect of which such amount was expended and the certificate of the City Clerk as to such amount shall be final and such amount shall be deemed to be taxes and may be added to the collector's roll to be collected in like manner as municipal realty taxes.

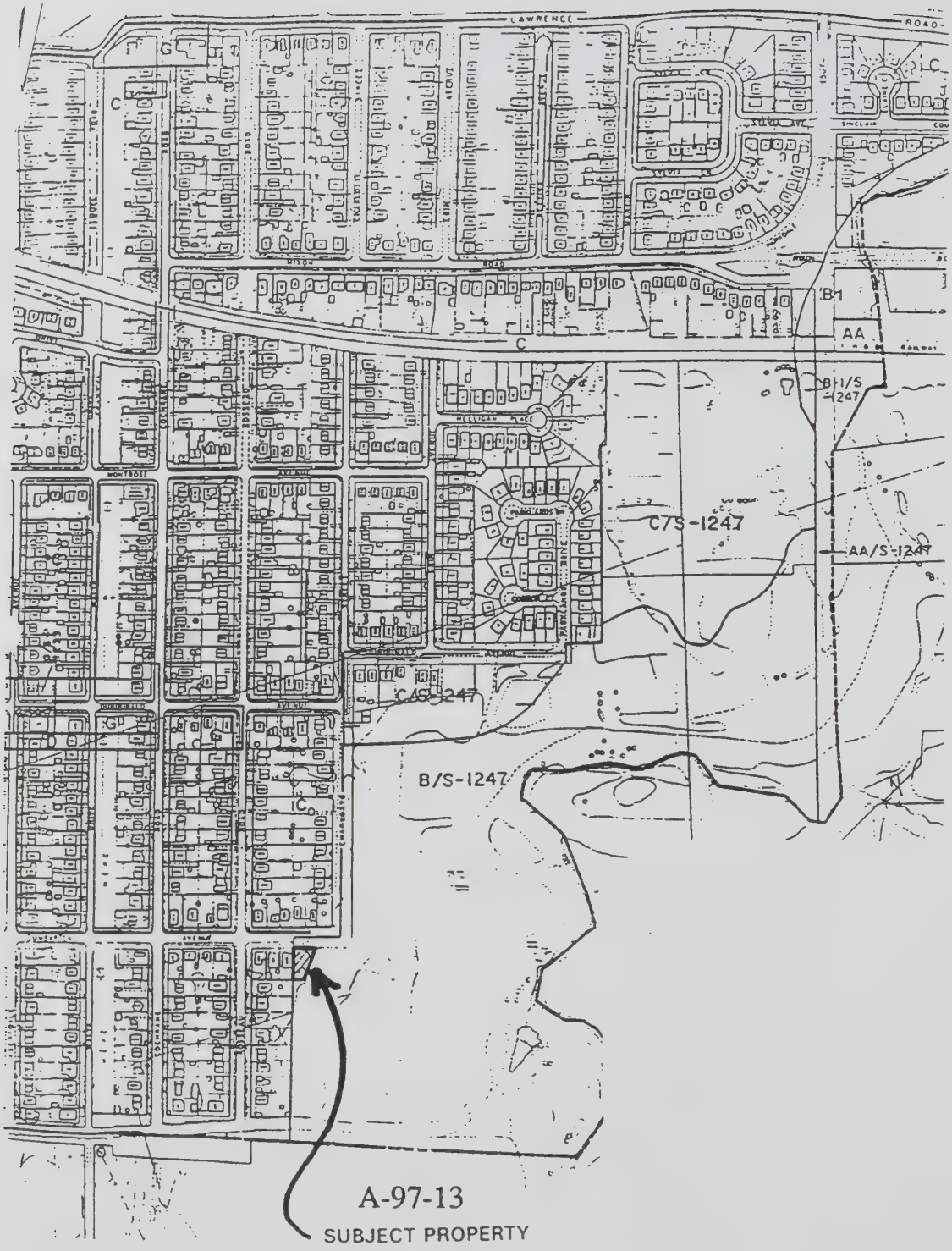
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

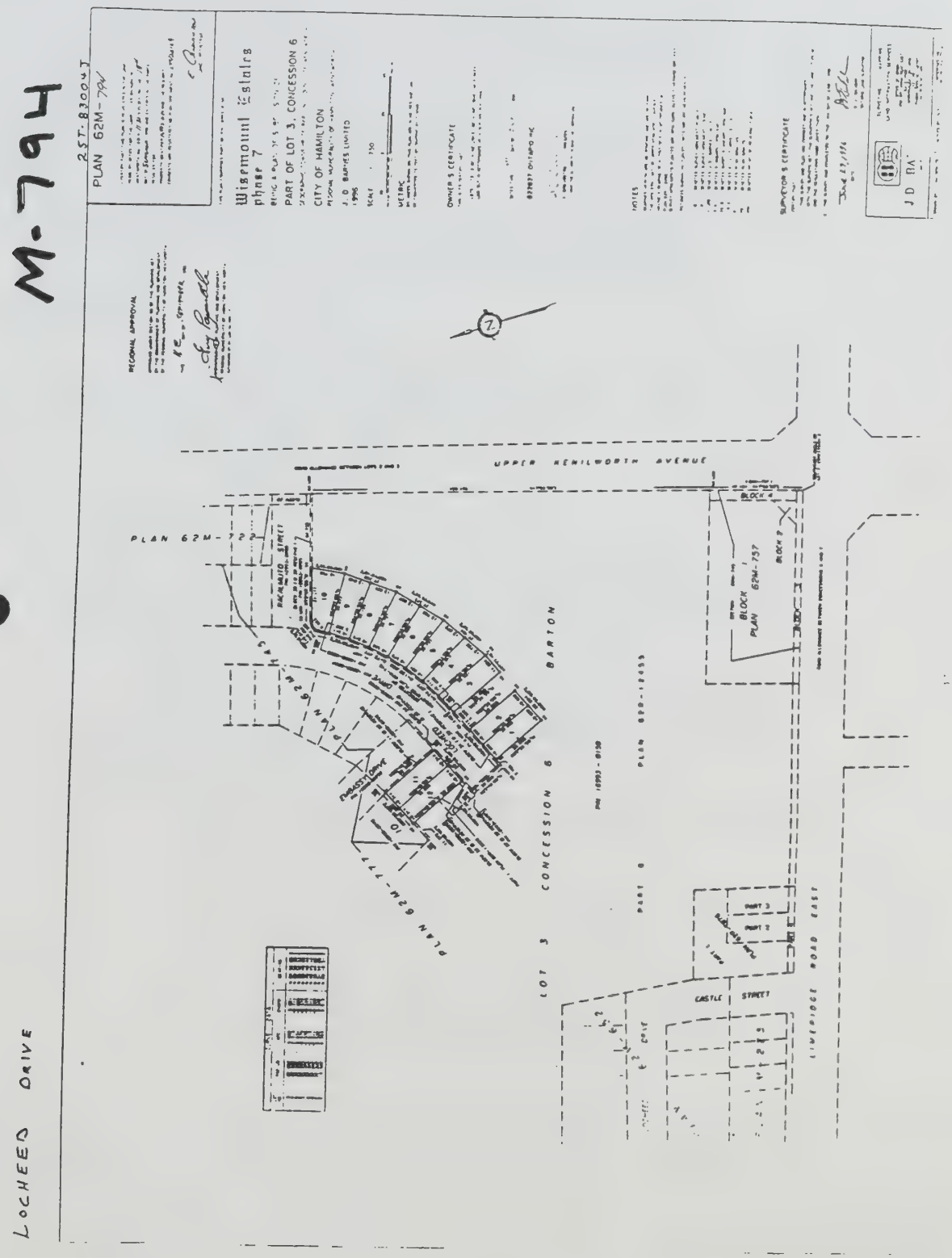
1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land municipally known as 293 Tragina Avenue North, more particularly described as Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in like manner as municipal realty taxes.

PASSED this day of A.D. 19

CITY CLERK MAYOR


LAWRENCE
ROAD
C
G
IC
B1
AA
B1/S
-1247
C7S-1247
AA/S-1247
C4S-1247
B/S-1247
A-97-13
SUBJECT PROPERTY


M-794
25T-8300?J
PLAN 62M-794
Wigmount Estates
phase 7
PART OF LOT 3, CONCESSION 6
CITY OF HAMILTON
UPPER KENILWORTH AVENUE
PLAN 62M-737
BLOCK
PLAN 62M-737
LOT 3 CONCESSION 6 BARTON
CASTLE STREET
LOCHEED DRIVE

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1997 and respectfully recommends:

1. (a) That a Bylaw to authorize a Municipal Capital Facility Agreement with the Art Gallery of Hamilton, under s. 210.1 of the Municipal Act be enacted; and,

   (b) That the City Solicitor and the Director of Culture and Recreation negotiate the terms and conditions of a Municipal Capital Facility Agreement with the Art Gallery; and,

   (c) That the Art Gallery of Hamilton be declared a Municipal Capital Facility serving a municipal purpose, and with a public use.

2. (a) That the City resolve Ontario Court (General Division) Action No. 7101/89 by the payment to the Plaintiffs, Jodi Baker Martin, Robert Martin, Donn Baker, Mary Jane Baker, Amanda Stajtos, of the sum of $28,500, inclusive of damages, interest and costs; and,

   (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

   (c) That Ontario Court (General Division) Action No. 7101/89 be dismissed without costs.

3. That Outstanding Business Taxes in the amount of $534,727.75 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account No. CH53401 24106, Tax Write-Offs.

4. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
CF 919241005	Concession Library Expansion	$1,924,000	$1,817,951	$106,049

5. That the Province be requested to circulate the entire draft Bill of the new Municipal Act in advance of First Reading to enable an understanding of the legislation and meaningful public discussions and comment.

6. (a) That the purchasing process to replace the Hamilton Fire Department Snorkel Truck, City #1671, commence immediately at an estimated cost of $800,000 with the replacement vehicle delivery and payment scheduled for early 1998; and,

(b) That the present Snorkel Truck, City #1671 be decommissioned and offered for sale; and,

(c) That the City Treasurer be authorized to advance $800,000 from the 1998 Capital Budget for the replacement of the Hamilton Fire Department Snorkel Truck, City #1671 and the cost be financed by the Reserve for Replacement of Motorized Equipment, Account Centre No. CH 00101; and,

(d) That the City Treasurer be authorized to revise the 1997-2006 Capital Budget Program and to reduce 1998 Project No. 56.1 Fire Department - Vehicle/Apparatus Replacement by $800,000 from $1,870,000 to $1,070,000.

7. (a) That IBM Canada Limited of Markham, Ontario provide leasing services for PCs, printers, file servers and network equipment for a maximum one year period to 1998 April 30th, at the base rate of $26.55/$1,000/month for a 36 month operating lease and $30.65/$1,000/month for a 36 month Capital lease, (the lowest of ten proposals received); and,

(b) That the IBM be permitted to adjust the leasing rate, subject to approval by the Treasurer, during the contract period in accordance with documented fluctuations in the yield on Government of Canada Bonds; and,

(c) That decisions to acquire equipment via an operating, or capital lease, or purchase be made, in consultation with the Treasurer; and,

(d) That the Mayor and the City Clerk be authorized to execute the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor, the City Treasurer and the Director of Information Systems (the City of Hamilton is the lessee); and,

(e) That funding be provided from Account # CH56605-26032 (Workstation Leasing).

8. (a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

(i) 16 Magill Street

(b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.

9. That in addition to the traditional closure of City Hall and some other municipal facilities and services for the period between Christmas and New Year's, that approval be granted to also close on Friday, 1998 January 2 as part of the 1997 Christmas closure.

10. That City Council advise the Ontario Racing Commission that it is aware of the request from Flamboro Downs for additional proposed Teletheatre locations at Rookies Sports Cafe, 1429 Main Street East and Hanrahan's Tavern, 92 Barton Street East, and that City Council has no objection to these locations being approved.

11. (a) That a By-law to exempt the Hamilton Society for the Prevention of Cruelty to Animals shelter at 245 Dartnall Road for municipal and school taxes be enacted; and,

(b) That the City Clerk give Notice of passage of the By-law to the Minister of Education and Training, the Regional Assessment Commissioner and the Regional Clerk of the Regional Municipality of Hamilton-Wentworth and to the Secretaries of the Hamilton Board of Education and the Hamilton-Wentworth Separate School Board.

12. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

(a) D-35 A By-law to Authorize: A Municipal Capital Facility Agreement with the Art Gallery of Hamilton.

(b) D-36 A By-law to Declare: The Hamilton Society for the Prevention of Cruelty to Animals Municipal Capital Facility Tax Exempt

(c) D-37 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1997 May 6

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

TUESDAY, 1997 MAY 13TH
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL

BILLS

BILL NO. *A-29*

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding to **Part 4(a)** thereof the following item, namely:-

"Rebecca	North	John to Catharine."

and by deleting from **Part 3(b)** thereof the following item, namely:-

"Rebecca	North	John to Catharine."

2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Blossom	North	commencing 493 feet west of Upper James and extending 32 feet westerly therefrom	Anytime
Norwood	South	commencing at Bond and extending 93 feet westerly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Case	South	commencing 201 feet west of Iottridge to a point 20 feet westerly therefrom	Anytime."

and by deleting from Part A thereof the following item, namely:-

"Rebecca	North	45 feet	93 feet east of John	Anytime."

3. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Brant	South	commencing 53 feet west of Niagara and extending 16 feet westerly therefrom	Anytime
Poulette	East	Hunter to the northerly end	Anytime
Fairfield	East	commencing 167 feet south of Britannia and extending 24 feet southerly therefrom	Anytime
Fairfield	West	commencing 183 feet south of Britannia and extending 23 feet southerly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Bond	East	52 feet south of Marion to a point 22 feet southerly therefrom	Anytime."

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. *A-30*

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway)** of By-law 89-72, To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding to the **"Outbound"** column thereof the following items, namely:-

"Limeridge 118 feet east of Upper Ottawa (F/S)

Upper Kenilworth 217 feet north of Limeridge (M/B) - recovery point

Unsworth 108 feet east of Upper Ottawa

Hempstead 36 feet west of Nebo (N/S)."

and by deleting from the **"Outbound"** column thereof the following items, namely:-

"Limeridge at Upper Kenilworth

Limeridge at #1350."

and by adding to the **"Inbound"** column thereof the following items, namely:-

"Limeridge 288 feet west of West 5th (N/S)

Upper Kenilworth 217 feet north of Limeridge (M/B) - recovery point

Hempstead 200 feet north of the projected north curb of Unsworth (M/B)

MacNab (East Leg) 20 feet north of Main."

and by deleting from the **"Inbound"** column thereof the following items, namely:-

"Limeridge Road West opposite #175/195 (MB)

Pritchard at Rymal (FS)."

2. This by-law shall come into force and take effect on the 22nd day of June, 1997.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. *A-31*

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic, passed on the 28th day of February, 1989, is hereby amended by adding thereto the following items, namely:-

"Barlake	Southbound	Barlake
Hollydene	Northbound	Barlake
Jeremy	Southbound	Chipman."

2. **Schedule 28 (Taxi Stands)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Rebecca	North	87 ft	118 ft west of Catharine	Anytime."

3. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Monteagle	South	Dungannon to 52 feet westerly	Anytime."

4. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"Royal	South	24 feet	66 feet east of Emerson	8:00 a.m. - 6:00 p.m. Monday to Friday."

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

BILL NO. A - 32

BY-LAW NO. 97 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 7 (Weight Restrictions on Certain Bridges)** of By-law 89-72 To Regulate Traffic passed on the 13th day of May 1997 is hereby amended by adding thereto the following items, namely:-

"Valley Inn Road, bridge over Grindstone Creek 5 tonnes".

2. **Schedule 7 (Weight Restrictions on Certain Bridges)**is hereby amended by deleting therefrom the following item, namely:-

"Valley Inn Road, bridge over Grindstone Creek 13.5 tonnes".

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

Bill No. A-*33*

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-

TO STOP-UP, CLOSE AND SELL THAT PORTION OF ROSSLYN AVENUE FROM MAIN STREET EAST TO KING STREET EAST DESIGNATED AS PARTS 1, 2, 3 AND 4 ON PLAN 62R-14097

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting a resolution at its' meeting on 1997 April 8 authorized the City to stop-up, close and sell that portion of Rosslyn Avenue from Main Street East to King Street East designated as Parts 1, 2, 3 and 4 on Plan 62R-14097.

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. To stop-up, close and sell that portion of Rosslyn Avenue lying between Main Street East and King Street East designated as Parts 1, 2, 3 and 4 on Plan 62R-14097.

   City of Hamilton

   Regional Municipality of Hamilton-Wentworth

   Are hereby authorized.

2. That the closed portion of Rosslyn Avenue being Parts 1, 2, 3 and 4 on Plan 62R-14097 be sold to the abutting owner on the east side for a sum of $104,280.00.

3. That an easement over part of said Rosslyn Avenue designated as Part 3 on Plan 62R-14097 be granted to the Hamilton Hydro Electric System.

4. That an easement over part of said Rosslyn Avenue designated as Part 2 on Plan 62R-14097 be granted to the Regional Municipality of Hamilton-Wentworth.

(cont'd pg 2)

5. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this day of A.D. 1997

City Clerk Mayor

Bill No. A-34

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 97-
To Authorize:

1. The construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks:

   a) on the north side of Stone Church Road East from Upper Ottawa Street to approximately 550 m easterly (east limit of #1249 Stone Church Road East) and,

   b) on the south side of Stone Church Road East from Upper Ottawa Street to Dartnall Road as described in Schedule "A";

2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

3. The preparation of plans, specifications, and reports and the supervision of the construction by the Commissioner of Transportation.

WHEREAS the Council of The Corporation of the City of Hamilton did decide to authorize preparation of this By-law because it is expedient to undertake the works hereinafter described as local improvements, without petition on the initiative of Council, (Item 23 of the 3rd Report of the Transport and Environment Committee on March 11, 1997);

AND WHEREAS the Council of The Corporation of the City of Hamilton did authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues,
(Item 6 of the 4th Report of the Finance and Administration Committee on March 11, 1997);

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of the Local Improvement Act, R.S.O. 1990, Chapter L.26;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, Chapter R.8 provides (section 111) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, Chapter O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act, (section 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed (a) $73,000 and (b) $141,000 respectively.

2. The portion of the estimated cost of the works in the amount of (a) $53,408.04 and (b) $85,140.44 respectively shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre thereof (set out in Schedule "A" attached hereto,) shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in equal annual instalments until fully paid.

3. Pending payment of the abutting owners' portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton,

   (a) to the extent sufficient to provide an amount not exceeding $53,408.04 and $85,140.44 respectively.;

   (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Transportation is hereby authorized to,

   (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,

   (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

(1997) 3 R.T.E.C. 23, March 11
(1997) 4 R.F.A.C. 6, March 11

SCHEDULE "A"

Construction of an independent concrete sidewalk

(a) on the north side of Stone Church Road from Upper Ottawa Street to approximately 550 m easterly (east limit of #1249 Stone Church Road East),

at the estimated cost not exceeding the following:

City's Share	$ 19,591.96
Abutting Owners' Share	53,408.04
TOTAL ESTIMATED COST	$73,000.00

(b) on the south side of Stone Church Road East from Upper Ottawa Street to Dartnall Road,

at the estimated cost not exceeding the following:

City's Share	$ 55,859.56
Abutting Owners' Share	85,140.44
TOTAL ESTIMATED COST	$141,000.00

Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	$98.00

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Authorize:

DEMOLITION AND CLEARING OF

BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

293 TRAGINA AVENUE NORTH

WHEREAS a **Notice** dated the **13th** Day of **December** 1996 was served or caused to be served in accordance with Subsection 6 of Section 31 of The Planning Act, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS an **Order** dated the **6th** of **January** 1997 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS a hearing was held on the **17th** of **March** 1997 by the Property Standards Committee in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 18 of Section 31 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 19 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described as municipal number 293 Tragina Avenue North, Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No.94-185 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Subsection 20 of Section 31 of the said Act, the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Section 39(1)(c)(ii) of The Property Standards By-Law No. 94-185, as amended, the final amount expended by the City to demolish the buildings, together with interest, shall be a lien against the property in respect of which such amount was expended and the certificate of the City Clerk as to such amount shall be final and such amount shall be deemed to be taxes and may be added to the collector's roll to be collected in like manner as municipal realty taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land municipally known as 293 Tragina Avenue North, more particularly described as Lot No. 4, Plan No. 502, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in like manner as municipal realty taxes.

PASSED this day of A.D. 19

CITY CLERK MAYOR

Bill No. C-27

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Extend By-law No. 97-032

Respecting:

**LAND WITHIN THE "WISEMOUNT ESTATES, PHASE 7"
SUBDIVISION (62M-794)
PLAN 62R-13901**

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

(7) **Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law. --** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval. --** An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law. --** A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period. --** The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal. --** The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 97-032 on February 24, 1997 to remove the lands described in section 1 thereof from part lot control, which by-law shall expire on June 1, 1997;

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 97-032;

AND WHEREAS approval under subsection (7.1) is not required for an extension in accordance with subsection (7.4);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 97-032 is hereby repealed and the following substituted therefor:

> "(c) As it relates to Lots 1 - 9, this By-law shall expire on June 1, 1998. As it relates to Lot 12, this By-law expires on June 1, 1997."

2. Section 1. of By-law No. 97-032 is hereby repealed and the following substituted therefor:

> "Subsection 5 of Section 50 of the Planning Act, shall not apply, for the purposes of creating maintenance easements only, to the following lands:
>
> Lots 1 to 9 inclusive, and Lot 12, within Registered Plan Number 62M-794, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth."

3. In all other respects, By-law No. 97-032 is hereby confirmed, unchanged.

4. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 97-032.

PASSED this day of A.D. 1997.

CITY CLERK MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Repeal:

Zoning By-law No. 96-114

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 775 AND 779 UPPER WENTWORTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-114 on the 25th day of June 1996 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-124 on the 9th day of July 1996 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS it is expedient to repeal By-law No. 96-114 as it is redundant.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 96-114, passed on the 25 day of June 1996, is hereby repealed in its entirety.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 8 R.P.D.C. , May 13
Elite Realty Corporation, Prospective Owner
ZAC-95-18

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

By-law No. 86-73
As Amended by By-laws No. 92-058 and 97-57

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections.217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 97-57, passed on the 8th day of April 1997, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 97-57;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 7th Report of the Planning and Development Committee at its meeting held on the 29th day of April 1997, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	The Right House

A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel
D. Broker	Royal Connaught Howard Johnson Hotel
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing
A. Herpers	Herpers, Gowling Inc.
R. Sorenson	Sundried Tomatoes

2. By-law No. 97-57 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 7 R.P.D.C. 8, April 29

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 121 AUGUSTA STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 131, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "L-mr-2" (Planned Development - Multiple Residential) District provisions, as contained in Section 17B of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 17B(4) of Zoning By-law No. 6593, the following shall be permitted:

(i) general offices, only within the existing building;

(ii) a ground sign in the front yard of an area of not more than 1.2 square metres and a height of not more than 1.2 m and either non-illuminated or illuminated by non-flashing, indirect, or interior means only;

(b) notwithstanding Section 18A(7) of Zoning By-law No. 6593, three of the required parking spaces shall have a length of not less than 5.2 m;

(c) Section 18A(9) of Zoning By-law 6593 shall not apply to the required loading space;

(d) Section 18A(11)(b) of Zoning By-law 6593 shall not apply;

(e) notwithstanding Section 18A(12)(c) of Zoning By-law 6593, a visual barrier of not less than 1.0 m in height shall be provided and maintained along the easterly lot line adjoining the parking area;

(f) Section 18A(14) of Zoning By-law 6593 shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "L-mr-2" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1345.

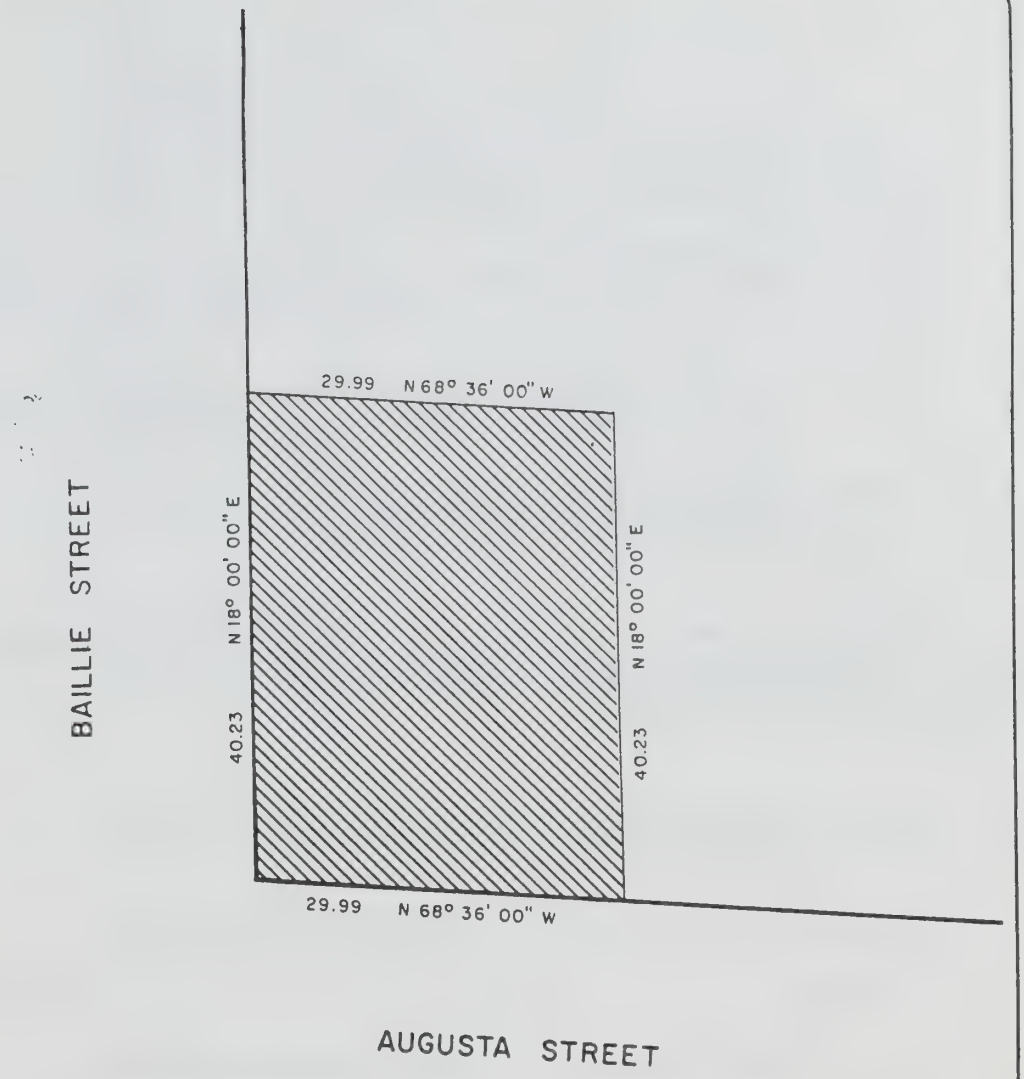
4. Sheet No. E-5 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1345.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1995

CITY CLERK MAYOR

(1995) 17 R.P.D.C. 4, August 29
Community Adolescent Network of Hamilton, Owner
ZAC-95-20



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-.....
Passed the ..... day of ..... , 1997.

....
Clerk Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 97-
to Amend By-Law No. 6593

Planning and Development Department

Legend

Modification to the established " L-mr-2 " (Planned Development-Multiple Residential) District.

North	Scale	Reference File No.
	Not to Scale	ZAR-95-20
	Date	Drawn By
	May 1997	FAB

The Corporation of the City of Hamilton

BY-LAW NO. 97-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED WEST OF OMNI BOULEVARD, SOUTH OF UPPER HORNING ROAD AND NORTH OF STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "**AA**" (Agricultural) District to "**C**" (Urban Protected Residential, etc.) District, the land comprised in Blocks 1 and 2; and

(b) by changing from "**D**" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "**C**" (Urban Protected Residential, etc.) District, the land comprised in Blocks 3 and 4,

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The "**C**" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 2 and 4, are amended to the extent only of the special requirement that,

(a) notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, the minimum front yard shall be provided and maintained in accordance with Schedule "B", hereto annexed and forming part of this by-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1380.

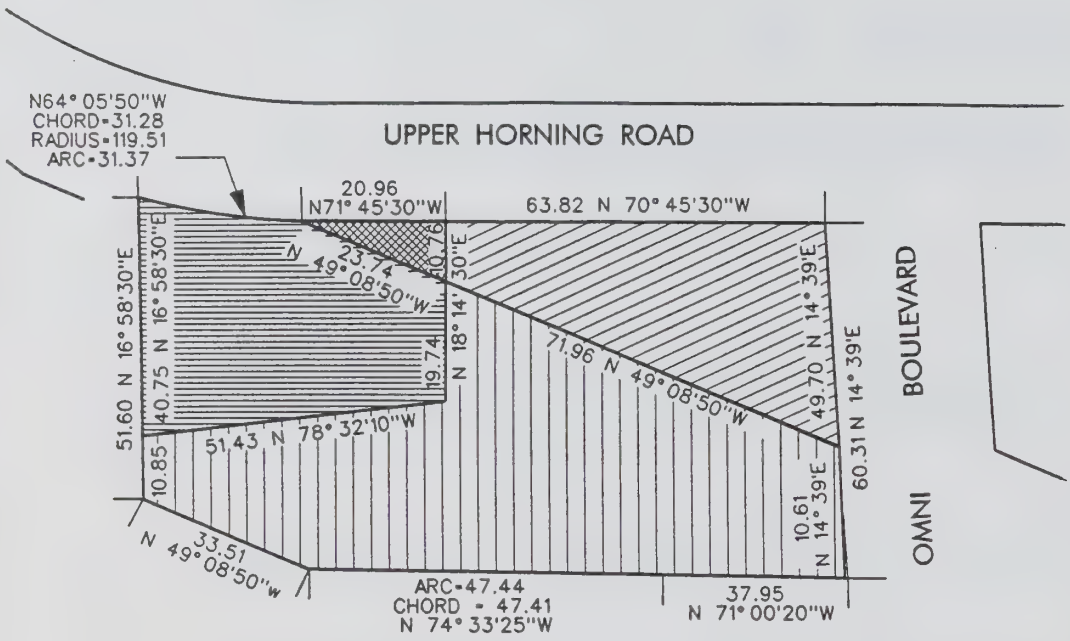
5. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1380.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1997

CITY CLERK MAYOR

(1997) 8 R.P.D.C. 1, May 13
Frank Mulas Construction Ltd.,
DiCenzo Construction and
Sunshine Construction Inc., Owners
Amended ZAC-97-10



NOTE: All dimensions are in metres

This is Schedule "A" to By–Law No. 97–.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By–Law No. 97–____

to Amend By–Law No. 6593

Planning and Development Department

Legend
change in Zoning:

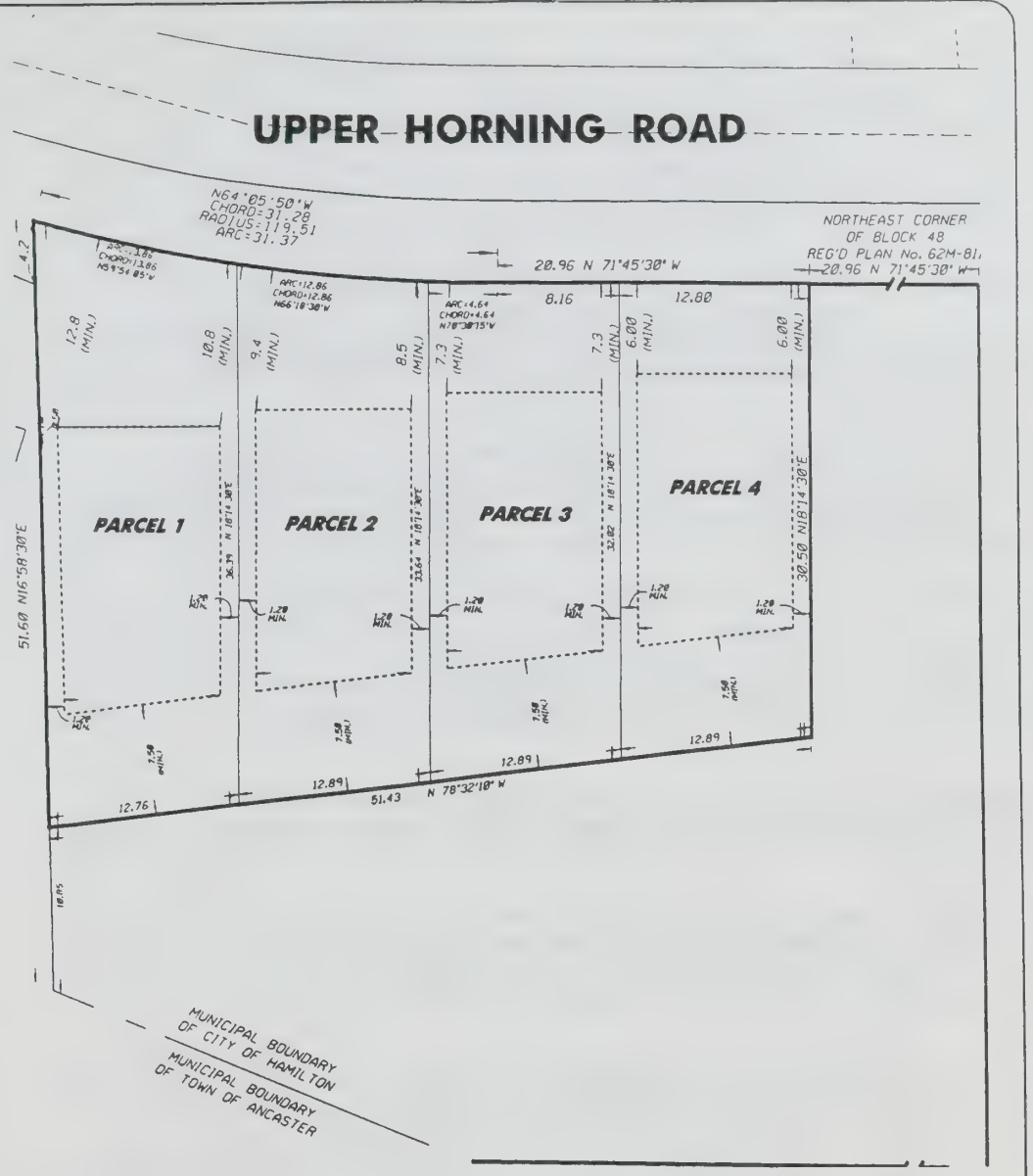
BLOCK 1 — From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

BLOCK 2 — From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified;

BLOCK 3 — From "D" (Urban Protected Residential – One and Two Family Dwellings, etc) District to "C" (Urban Protected Residential, etc.) District; and,

BLOCK 4 — From "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, modified.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC–97–10
	Date	Drawn By
	May 1997	S.H.



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 97-.....
Passed the ..... day of ....., 1997.

Clerk

Mayor

City of Hamilton

Schedule "B"

Map Forming Part of
By-Law No. 97-____

to Amend By-Law No. 6593

Planning and Development Department

Legend
change in Zoning:

Building Envelopes

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-97-10
	Date	Drawn By
	APRIL 1997	D. L.

The Corporation of the City of Hamilton

By-law No. 97-

To Authorize:

A MUNICIPAL CAPITAL FACILITY AGREEMENT WITH THE ART GALLERY OF HAMILTON

WHEREAS the Art Gallery of Hamilton operates the Art Gallery of Hamilton which is a cultural, recreation and tourism service to the City of Hamilton;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Section 207.58 of the Municipal Act authorizes a municipality to own, operate and maintain an Art Gallery;

AND WHEREAS Ontario Regulation 46/94 authorizes municipal capital facility agreements and tax exemptions for the provision of services related to cultural, recreation or tourist purpose;

AND WHEREAS the City and the Art Gallery of Hamilton have proposed to enter into an Agreement to provide Municipal Capital Facilities for cultural, recreation or tourist purposes;

AND WHEREAS Council, on May 13, 1997, in adopting Section 1 of the Tenth Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton may enter into an agreement with The Art Gallery of Hamilton for the provision, management and maintenance of the municipal capital facility known as The Art Gallery of Hamilton at 123 King Street West, Hamilton, Ontario.

2. The municipal capital facility comprising The Art Gallery of Hamilton, located at 123 King Street West, Hamilton, is for the purposes of the Municipality and is for a public use.

3. The Clerk shall give written Notice of this By-law to the Minister of Education and Training.

PASSED this 13th day of May 1997.

CITY CLERK MAYOR

Bill No. D-36

The Corporation of the City of Hamilton

By-law No. 97-

To Declare:

THE HAMILTON SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS MUNICIPAL CAPITAL FACILITY TAX EXEMPT

WHEREAS the Hamilton Society for the Prevention of Cruelty to Animals provides facilities for the protection, regulation and control of animals to The Corporation of the City of Hamilton under a Contract dated January 29, 1992;

AND WHEREAS Section 210.1 of the Municipal Act, authorizes a Council to enter into agreements for the provision of municipal capital facilities by any person and to exempt from taxation for municipal and school purposes the land, or a portion of it, on which municipal capital facilities are, or will be, located;

AND WHEREAS Ontario Regulation 46/94 authorizes municipal capital facility agreements and tax exemptions for the municipal facilities for the protection, regulation and control of animals;

AND WHEREAS By-law No. 97-028 was enacted on February 11, 1997 to authorize an Agreement to provide a municipal capital facility between the City and the Society;

AND WHEREAS the City and the Society have entered into an Agreement to provide Municipal Capital Facilities for the protection, regulation and control of animals;

AND WHEREAS Council, on May 13, 1997 in adopting Section 11 of the Tenth Report of the Finance and Administration Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Hamilton Society for the Prevention of Cruelty to Animals is granted a tax exemption for the premises located at 245 Dartnall Road, Hamilton, Ontario.

2. The tax exemption given in Section 2 shall not include taxes or rate levied under Sections 218 or 222 of the Municipal Act.

3. The Clerk shall give written Notice of this By-law to

   (a) The Minister of Education;

   (b) The Assessment Commissioner;

   (c) The Clerk of The Regional Municipality of Hamilton-Wentworth; and

(d) The Secretaries of the Hamilton Public School Board and The Hamilton-Wentworth Separate School Board.

4. This By-law takes effect on its date of enactment.

PASSED this 13th day of May 1997.

CITY CLERK MAYOR

BY-LAW NO. 97 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13th DAY OF MAY, 1997.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of May 1997

CITY CLERK MAYOR




ACCO® USA
WHEELING, ILLINOIS 60090
25971
0 50505 25971 7
BLACK/NOIR/NEGRO
MADE IN USA

HAMILTON PUBLIC LIBRARY
3 2022 21334229 4